

Calendar No. 489

104TH CONGRESS  
2D Session

**S. 1662**

**A BILL**

To establish areas of wilderness and recreation in  
the State of Oregon, and for other purposes.

JULY 2, 1996

Reported with an amendment

## Calendar No. 489

104TH CONGRESS  
2D SESSION**S. 1662****[Report No. 104-314]**

To establish areas of wilderness and recreation in the State of Oregon,  
and for other purposes.

---

IN THE SENATE OF THE UNITED STATES

MARCH 29, 1996

Mr. HATFIELD introduced the following bill; which was read twice and  
referred to the Committee on Energy and Natural Resources

JULY 2, 1996

Reported under authority of the order of the Senate of June 27, 1996 by Mr.  
MURKOWSKI, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

---

**A BILL**

To establish areas of wilderness and recreation in the State  
of Oregon, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Oregon Resource Con-  
5       serva~~tion~~ Act of 1996”.

1 **TITLE I—OPAL CREEK WILDER-**  
 2 **NESS AND SCENIC RECRE-**  
 3 **ATION AREA**

4 **SEC. 101. SHORT TITLE.**

5 This title may be cited as the “Opal Creek Wilderness  
 6 and Opal Creek Scenic Recreation Area Act of 1996”.

7 **SEC. 102. DEFINITIONS.**

8 In this title:

9 (1) **BULL OF THE WOODS WILDERNESS.**—The  
 10 term “Bull of the Woods Wilderness” means the  
 11 land designated as wilderness by section 3(4) of the  
 12 Oregon Wilderness Act of 1984 (Public Law 98–  
 13 328; 16 U.S.C. 1132 note).

14 (2) **IMMEDIATE FAMILY.**—The term “immediate  
 15 family” means, with respect to the owner of record  
 16 of land or an interest in land, a spouse, sibling, child  
 17 (whether natural or adopted), stepchild, and any lin-  
 18 eal descendant of the owner.

19 (3) **OPAL CREEK WILDERNESS.**—The term  
 20 “Opal Creek Wilderness” means certain land in the  
 21 Willamette National Forest in the State of Oregon  
 22 comprising approximately 13,212 acres, as generally  
 23 depicted on the map entitled “Proposed Opal Creek  
 24 Wilderness and Scenic Recreation Area”, dated  
 25 March 1996.

1           (4) SCENIC RECREATION AREA.—The term  
 2           “Seenie Recreation Area” means the Opal Creek  
 3           Seenie Recreation Area established under section  
 4           103(a)(3).

5           (5) SECRETARY.—The term “Secretary” means  
 6           the Secretary of Agriculture.

7   **SEC. 103. ESTABLISHMENT OF OPAL CREEK WILDERNESS**  
 8           **AND SCENIC RECREATION AREA.**

9           (a) ESTABLISHMENT.—On a determination by the  
 10          Secretary under subsection (b)—

11           (1) the Opal Creek Wilderness shall become a  
 12           component of the National Wilderness System and  
 13           shall be known as the Opal Creek Wilderness;

14           (2) the part of the Bull of the Woods Wilder-  
 15           ness that is located in the Willamette National For-  
 16           est shall be incorporated into the Opal Creek Wilder-  
 17           ness; and

18           (3) the Secretary shall establish the Opal Creek  
 19           Seenie Recreation Area in the Willamette National  
 20           Forest in the State of Oregon, comprising approxi-  
 21           mately 13,013 acres, as generally depicted on the  
 22           map entitled “Proposed Opal Creek Wilderness and  
 23           Seenie Recreation Area”, dated March 1996.

24           (b) CONDITIONS.—Subsection (a) shall not take ef-  
 25          fect unless the Secretary makes a determination, not later

1 than 2 years after the date of enactment of this Act, that  
2 the following have been donated to the United States in  
3 an acceptable condition and without encumbrances:

4 (1) All right, title, and interest in the following  
5 patented parcels of land:

6 (A) Santiam number 1, mineral survey  
7 number 992, as described in patent number 39-  
8 92-0002, dated December 11, 1991.

9 (B) Ruth Quartz Mine number 2, mineral  
10 survey number 994, as described in patent  
11 number 39-91-0012, dated February 12, 1991.

12 (C) Morning Star Lode, mineral survey  
13 number 993, as described in patent number 36-  
14 91-0011, dated February 12, 1991.

15 (D) Certain land belonging to the Times  
16 Mirror Land and Timber Company located in  
17 section 18, township 8 south, range 5 east,  
18 Marion County, Oregon, Eureka numbers 6, 7,  
19 and 8, and 13 patented mining claims.

20 (2) A public easement across the Hewitt, Star-  
21 vation, and Poor Boy Mill Sites, mineral survey  
22 number 990, as described in patent number 36-91-  
23 0017, dated May 9, 1991, or any alternative route  
24 for the easement that may be available.

1       (c) ~~EXPANSION OF SCENIC RECREATION AREA~~  
 2 ~~BOUNDARIES.~~—On acquiring all or substantially all of the  
 3 land located in section 36, township 8 south, range 4 east,  
 4 of the Willamette Meridian, Marion County, Oregon, by  
 5 exchange, purchase, or donation, the Secretary shall ex-  
 6 pand the boundary of the Scenic Recreation Area to in-  
 7 clude the land.

8 **SEC. 104. ADMINISTRATION OF THE SCENIC RECREATION**  
 9 **AREA.**

10       (a) ~~IN GENERAL.~~—The Secretary shall administer  
 11 the Scenic Recreation Area in accordance with the laws  
 12 (including regulations) applicable to the National Forest  
 13 System.

14       (b) ~~MANAGEMENT PLAN.~~—

15               (1) ~~IN GENERAL.~~—Not later than 2 years after  
 16 the date of establishment of the Scenic Recreation  
 17 Area, the Secretary, in consultation with the advi-  
 18 sory committee established under section 105(a),  
 19 shall prepare a comprehensive management plan for  
 20 the Scenic Recreation Area.

21               (2) ~~INCORPORATION IN LAND AND RESOURCE~~  
 22 ~~MANAGEMENT PLAN.~~—On completion of the man-  
 23 agement plan, the management plan shall become  
 24 part of the land and resource management plan for  
 25 the Willamette National Forest and supersede any

1 conflicting provision in the land and resource man-  
 2 agement plan.

3 ~~(3)~~ REQUIREMENTS.—The management plan  
 4 shall provide a broad range of land uses, including—

5 (A) recreation;

6 (B) harvesting of nontraditional forest  
 7 products, such as gathering mushrooms and  
 8 material to make baskets; and

9 (C) educational and research opportunities.

10 ~~(4)~~ PLAN AMENDMENTS.—The Secretary may  
 11 amend the management plan as the Secretary may  
 12 determine to be necessary.

13 ~~(e)~~ CULTURAL AND HISTORIC RESOURCE INVEN-  
 14 TORY.—

15 ~~(1)~~ IN GENERAL.—Not later than 1 year after  
 16 the date of establishment of the Scenic Recreation  
 17 Area, the Secretary shall review and revise the in-  
 18 ventory of the cultural and historic resources on the  
 19 public land in the Scenic Recreation Area that were  
 20 developed pursuant to the Oregon Wilderness Act of  
 21 1984 (Public Law 98–328; 98 Stat. 272).

22 ~~(2)~~ INTERPRETATION.—Interpretive activities  
 23 shall be developed under the management plan in  
 24 consultation with State and local historic preserva-  
 25 tion organizations and shall include a balanced and

1 factually-based interpretation of the cultural, eco-  
 2 logical, and industrial history of forestry and mining  
 3 in the Scenic Recreation Area.

4 ~~(d) TRANSPORTATION PLANNING.—~~

5 ~~(1) IN GENERAL.—~~To maintain access to recre-  
 6 ation sites and facilities in existence on the date of  
 7 enactment of this Act, the Secretary shall prepare a  
 8 transportation plan for the Scenic Recreation Area  
 9 that evaluates the road network within the Scenic  
 10 Recreation Area to determine which roads should be  
 11 retained and which roads closed.

12 ~~(2) ACCESS BY PERSONS WITH DISABILITIES.—~~  
 13 The Secretary, in consultation with private inholders  
 14 in the Scenic Recreation Area, shall consider the ac-  
 15 cess needs of persons with disabilities in preparing  
 16 the transportation plan for the Scenic Recreation  
 17 Area.

18 ~~(3) MOTOR VEHICLES.—~~

19 ~~(A) IN GENERAL.—~~Except as provided in  
 20 subparagraph (B) and in the transportation  
 21 plan under paragraph (1), motorized vehicles  
 22 shall not be permitted in the Scenic Recreation  
 23 Area.

24 ~~(B) EXCEPTION.—~~Forest road 3209 be-  
 25 yond the gate to the Scenic Recreation Area, as



depicted on the map described in section 103(a)(3), may be used by motorized vehicles for administrative purposes and for access to a private inholding, subject to such terms and conditions as the Secretary may determine to be necessary.

(4) ROAD IMPROVEMENT.—Any construction or improvement of forest road 3209 beyond the gate to the Scenic Recreation Area may not include paving or any work beyond 50 feet from the centerline of the road.

(c) HUNTING AND FISHING.—

(1) IN GENERAL.—Subject to other Federal and State law, the Secretary shall permit hunting and fishing in the Scenic Recreation Area.

(2) LIMITATION.—The Secretary may designate zones in which, and establish periods when, no hunting or fishing shall be permitted for reasons of public safety, administration, or public use and enjoyment.

(3) CONSULTATION.—Except during an emergency, as determined by the Secretary, the Secretary shall consult with the Oregon State Department of Fish and Wildlife before issuing any regulation under this section.

1       (f) ~~TIMBER CUTTING.—~~

2               (1) ~~IN GENERAL.—~~Subject to paragraph (2),  
3       the Secretary shall prohibit the cutting of trees in  
4       the Scenic Recreation Area.

5               (2) ~~PERMITTED CUTTING.—~~

6               (A) ~~IN GENERAL.—~~Subject to subpara-  
7       graph (B), the Secretary may allow the cutting  
8       of trees in the Scenic Recreation Area—

9                       (i) for public safety, such as to control  
10                      the spread of a forest fire in the Scenic  
11                      Recreation Area or on land adjacent to the  
12                      Scenic Recreation Area; or

13                     (ii) for activities related to adminis-  
14                     tration of the Scenic Recreation Area.

15               (B) ~~SALVAGE SALES.—~~The Secretary may  
16       not allow a salvage sale in the Scenic Recre-  
17       ation Area.

18       (g) ~~WITHDRAWAL.—~~Subject to rights perfected be-  
19       fore the date of enactment of this Act, all land in the Sce-  
20       nic Recreation Area are withdrawn from—

21               (1) any form of entry, appropriation, or dis-  
22       posal under the public land laws;

23               (2) location, entry, and patent under the mining  
24       laws; and

1           ~~(2)~~ disposition under the mineral and geo-  
2           thermal leasing laws.

3           ~~(h)~~ WATER IMPOUNDMENTS.—Notwithstanding the  
4           Federal Power Act (16 U.S.C. 791a et seq.), the Federal  
5           Energy Regulatory Commission may not license the con-  
6           struction of any dam, water conduit, reservoir, power-  
7           house, transmission line, or other project work in the See-  
8           nie Recreation Area.

9           ~~(i)~~ RECREATION.—

10           ~~(1)~~ RECOGNITION.—Congress recognizes recre-  
11           ation as an appropriate use of the Seenie Recreation  
12           Area.

13           ~~(2)~~ MINIMUM LEVELS.—The management plan  
14           shall accommodate recreation at not less than the  
15           levels in existence on the date of enactment of this  
16           Act.

17           ~~(3)~~ HIGHER LEVELS.—The management plan  
18           may provide for levels of recreation use higher than  
19           the levels in existence on the date of enactment of  
20           this Act if the levels are consistent with the protec-  
21           tion of resource values.

22           ~~(j)~~ PARTICIPATION.—In order that the knowledge,  
23           expertise, and views of all agencies and groups may con-  
24           tribute affirmatively to the most sensitive present and fu-

1 ture use of the Scenic Recreation Area and its various sub-  
 2 areas for the benefit of the public:

3       (1) ~~ADVISORY COUNCIL.~~—The Secretary shall  
 4 consult on a periodic and regular basis with the ad-  
 5 visory council established under section 105 with re-  
 6 spect to matters relating to management of the Sce-  
 7 nic Recreation Area.

8       (2) ~~PUBLIC PARTICIPATION.~~—The Secretary  
 9 shall seek the views of private groups, individuals,  
 10 and the public concerning the Scenic Recreation  
 11 Area.

12       (3) ~~OTHER AGENCIES.~~—The Secretary shall  
 13 seek the views and assistance of, and cooperate with,  
 14 any other Federal, State, or local agency with any  
 15 responsibility for the zoning, planning, or natural re-  
 16 sources of the Scenic Recreation Area.

17       (4) ~~NONPROFIT AGENCIES AND ORGANIZA-~~  
 18 ~~TIONS.~~—The Secretary shall seek the views of any  
 19 nonprofit agency or organization that may contrib-  
 20 ute information or expertise about the resources and  
 21 the management of the Scenic Recreation Area.

22 **SEC. 105. ADVISORY COUNCIL.**

23       (a) ~~ESTABLISHMENT.~~—On the establishment of the  
 24 Scenic Recreation Area, the Secretary shall establish an  
 25 advisory council for the Scenic Recreation Area.

1       (b) ~~MEMBERSHIP.~~—The advisory council shall consist  
2 of not more than ~~11~~ members, of whom—

3           ~~(1)~~ ~~1~~ member shall represent Marion County,  
4 Oregon, and shall be designated by the governing  
5 body of the county;

6           ~~(2)~~ ~~1~~ member shall represent the State of Or-  
7 egon and shall be designated by the Governor of Or-  
8 egon; and

9           ~~(3)~~ not more than ~~8~~ members shall be ap-  
10 pointed by the Secretary from among persons who,  
11 individually or through association with a national or  
12 local organization, have an interest in the adminis-  
13 tration of the Scenic Recreation Area, including rep-  
14 resentatives of the timber industry, environmental  
15 organizations, and economic development interests.

16       (c) ~~STAGGERED TERMS.~~—Members of the advisory  
17 council shall serve for staggered terms of ~~3~~ years.

18       (d) ~~CHAIRMAN.~~—The Secretary shall designate ~~1~~  
19 member of the advisory council as chairman.

20       (e) ~~VACANCIES.~~—The Secretary shall fill a vacancy  
21 on the advisory council in the same manner as the original  
22 appointment.

23       (f) ~~COMPENSATION.~~—A member of the advisory  
24 council shall not receive any compensation for the mem-  
25 ber's service to the advisory council.

1 **SEC. 106. GENERAL PROVISIONS.**

2 ~~(a) LAND ACQUISITION.—~~

3 ~~(1) IN GENERAL.—~~Subject to the other provi-  
4 sions of this subsection, the Secretary may acquire  
5 any lands, waters, or interests in land or water in  
6 the Scenic Recreation Area or the Opal Creek Wil-  
7 derness that the Secretary determines are needed to  
8 carry out this title.

9 ~~(2) PUBLIC LAND.—~~Any lands, waters, or inter-  
10 ests in land or water owned by a State or a political  
11 subdivision of a State may be acquired only by dona-  
12 tion or exchange.

13 ~~(3) CONDEMNATION.—~~Subject to paragraph  
14 ~~(4)~~, the Secretary may not acquire any privately  
15 owned land or interest in land without the consent  
16 of the owner unless the Secretary finds that—

17 ~~(A)~~ the nature of land use has changed  
18 significantly, or the landowner has dem-  
19 onstrated intent to change the land use signifi-  
20 cantly, from the use that existed on the date of  
21 the enactment of this Act; and

22 ~~(B)~~ acquisition by the Secretary of the  
23 land or interest in land is essential to ensure  
24 use of the land or interest in land in accordance  
25 with the management plan prepared under sec-  
26 tion 104(b).

1 (4) RIGHT OF FIRST REFUSAL.—

2 (A) IN GENERAL.—The following privately  
3 owned lands, interests in land, and structures  
4 may not be disposed of by donation, exchange,  
5 sale, or other conveyance without first being of-  
6 fered at not more than fair market value to the  
7 Secretary:

8 (i) The lode mining claims known as  
9 the Princess Lode, Black Prince Lode, and  
10 King Number 4 Lode, embracing portions  
11 of sections 29 and 32, township 8 south,  
12 range 5 east, Willamette Meridian, Marion  
13 County, Oregon, the claims being more  
14 particularly described in the field notes  
15 and depicted on the plat of mineral survey  
16 number 887, Oregon.

17 (ii) Ruth Quartz Mine Number 1,  
18 mineral survey number 994, as described  
19 in patent number 39-91-0012, dated Feb-  
20 ruary 12, 1991.

21 (B) ACCEPTANCE PERIOD.—The Secretary  
22 shall have not less than 120 days in which to  
23 accept an offer under subparagraph (A).

24 (C) ACQUISITION.—The Secretary shall  
25 have not less than 45 days after the end of the

1 fiscal year following the fiscal year in which an  
2 offer was accepted under subparagraph (B) to  
3 acquire the land, interest in land, or structure  
4 offered under subparagraph (A).

5 (D) PROHIBITION OF CHEAPER SALES.—

6 Any land, interest in land, or structure offered  
7 to the Secretary under subparagraph (A) may  
8 not be sold or conveyed at a price below the  
9 price at which the land, interest in land, or  
10 structure was offered.

11 (E) REOFFER.—

12 (i) IN GENERAL.—Subject to clause  
13 (ii), any land, interest in land, or structure  
14 offered to the Secretary under subpara-  
15 graph (A) may not be reoffered for sale or  
16 conveyance unless the land, interest in  
17 land, or structure is first reoffered to the  
18 Secretary.

19 (ii) IMMEDIATE FAMILY.—Clause (i)  
20 shall not apply to a change in ownership of  
21 land, an interest in land, or a structure  
22 within the immediate family of the owner  
23 of record on January 1, 1996.



1           (F) PROCEEDS.—The proceeds of any sale  
2           to the Secretary under this paragraph may be  
3           used only for—

4                   (i) trail, road, and bridge maintenance;  
5

6                   (ii) elementary, secondary, undergraduate and graduate level interpretive,  
7                   research, and educational programs and  
8                   activities, such as public school field study  
9                   programs, laboratory studies, workshops,  
10                  and seminars; and

11                  (iii) construction of visitor facilities,  
12                  such as restrooms, information kiosks, and  
13                  trail signage.  
14

15       (b) ENVIRONMENTAL RESPONSE ACTIONS AND COST  
16 RECOVERY.—

17           (1) RESPONSE ACTIONS.—Nothing in this title  
18           shall limit the authority of the Secretary or a responsible party to conduct an environmental response action in the Scenic Recreation Area in connection with the release, threatened release, or clean-up of a hazardous substance, pollutant, or contaminant, including a response action conducted under the Comprehensive Environmental Response, Com-

1       pensation, and Liability Act of 1980 (42 U.S.C.  
2       9601 et seq.).

3           ~~(2) LIABILITY.~~—Nothing in this title shall limit  
4       the authority of the Secretary or a responsible party  
5       to recover costs related to the release, threatened re-  
6       lease, or cleanup of any hazardous substance or pol-  
7       lutant or contaminant in the Scenic Recreation  
8       Area.

9       ~~(c) MAPS AND DESCRIPTION.~~—

10           ~~(1) IN GENERAL.~~—As soon as practicable after  
11       the date of enactment of this Act, the Secretary  
12       shall file a map and a boundary description for the  
13       Opal Creek Wilderness and for the Scenic Recre-  
14       ation Area with the Committee on Resources of the  
15       House of Representatives and the Committee on En-  
16       ergy and Natural Resources of the Senate.

17           ~~(2) FORCE AND EFFECT.~~—The boundary de-  
18       scription and map shall have the same force and ef-  
19       fect as if the description and map were included in  
20       this title, except that the Secretary may correct cler-  
21       ical and typographical errors in the boundary de-  
22       scription and map.

23           ~~(3) AVAILABILITY.~~—The map and boundary de-  
24       scription shall be on file and available for public in-

1        spection in the Office of the Chief of the Forest  
2        Service, Department of Agriculture.

3    **SEC. 107. DESIGNATION OF ELKHORN CREEK AS A WILD**  
4        **AND SCENIC RIVER.**

5        Section 3(a) of the Wild and Scenic Recreation Rivers  
6    Act (16 U.S.C. 1274(a)) is amended by adding at the end  
7    the following:

8        “( ) ELKHORN CREEK.—Elkhorn Creek from its  
9    source to its confluence on Federal land, to be adminis-  
10    tered by agencies of the Departments of the Interior and  
11    Agriculture as agreed on by the Secretary of the Interior  
12    and the Secretary of Agriculture or as directed by the  
13    President. Notwithstanding subsection (b), the boundaries  
14    of the Elkhorn River shall include an average of not more  
15    than 640 acres per mile measured from the ordinary high  
16    water mark on both sides of the river.”.

17    **SEC. 108. SAVINGS CLAUSE.**

18        Nothing in this title shall—

19            (1) interfere with any activity for which a spe-  
20        cial use permit has been issued (and not revoked)  
21        before the date of enactment of this Act, subject to  
22        the terms of the permit; or

23            (2) otherwise abridge the valid existing rights of  
24        an unpatented mining claimant under the general  
25        mining laws of the United States.

**TITLE II—UPPER KLAMATH  
BASIN**

**SEC. 201. UPPER KLAMATH BASIN ECOLOGICAL RESTORA-  
TION PROJECTS.**

(a) DEFINITIONS.—In this section:

(1) ECOSYSTEM RESTORATION OFFICE.—The term “Ecosystem Restoration Office” means the Klamath Basin Ecosystem Restoration Office operated cooperatively by the United States Fish and Wildlife Service, Bureau of Reclamation, Bureau of Land Management, and Forest Service.

(2) WORKING GROUP.—The term “Working Group” means the Upper Klamath Basin Working Group, established before the date of enactment of this Act, consisting of representatives of the environmental community, Klamath Tribes, water users, local industry, Klamath County, Oregon, the Department of Fish and Wildlife of the State of Oregon, the Oregon Institute of Technology, the city of Klamath Falls, Oregon, and the United States Fish and Wildlife Service, Bureau of Reclamation, Bureau of Land Management, Forest Service, Natural Resources Conservation Service, and Ecosystem Restoration Office.

1           ~~(3) SECRETARY.~~—The term “Secretary” means  
2           the Secretary of the Interior.

3           ~~(b) COOPERATIVE AGREEMENT.~~—

4           ~~(1) IN GENERAL.~~—The Secretary shall enter  
5           into a cooperative agreement with the Working  
6           Group under which—

7                   ~~(A)~~ the Working Group through the Eco-  
8                   system Restoration Office, with technical assist-  
9                   ance from the Secretary, will propose ecological  
10                  restoration projects to be undertaken in the  
11                  Upper Klamath Basin based on a consensus of  
12                  interested persons in the community;

13                  ~~(B)~~ the Working Group will accept dona-  
14                  tions from the public and place the amount of  
15                  any donations received in a trust fund, to be ex-  
16                  pended on the performance of ecological res-  
17                  toration projects approved by the Secretary;

18                  ~~(C)~~ on continued satisfaction of the condi-  
19                  tion stated in subsection ~~(c)~~, the Secretary shall  
20                  pay not more than 50 percent of the cost of  
21                  performing any ecological restoration project  
22                  approved by the Secretary, up to a total  
23                  amount of \$1,000,000 during each of fiscal  
24                  years 1997 through 2001;

~~(D)~~ funds made available under this title shall be distributed by the Department of the Interior, the Fish and Wildlife Service, and the Ecosystem Restoration Office;

~~(E)~~ the Ecosystem Restoration Office may utilize not more than 15 percent of all funds administered under this section for administrative costs relating to the implementation of this title; and

~~(F)~~ Federal agencies located in the Upper Klamath Basin, including the Fish and Wildlife Service, Bureau of Reclamation, National Park Service, Forest Service, Natural Resources Conservation Service, and Ecosystem Restoration Office shall provide technical assistance to the Working Group and actively participate in Working Group meetings as nonvoting members.

~~(c)~~ CONDITIONS.—The conditions stated in this subsection are—

~~(1)~~ that the representatives and interested persons on the Working Group on the date of enactment of this Act continue to serve; and in the future consist of not less than—

~~(A)~~ 3 tribal members;

1           ~~(B)~~ 2 representatives of the city of Klamath Falls, Oregon;

3           ~~(C)~~ 2 representatives of Klamath County, Oregon;

5           ~~(D)~~ 1 representative of institutions of higher education in the Upper Klamath Basin;

7           ~~(E)~~ 4 representatives of the environmental community;

9           ~~(F)~~ 4 representatives of local businesses and industries;

11          ~~(G)~~ 4 representatives of the ranching and farming community;

13          ~~(H)~~ 2 representatives of the State of Oregon; and

15          ~~(I)~~ 2 representatives from the local community; and

17          ~~(2)~~ that the Working Group conduct all meetings consistent with Federal open meeting and public participation laws.

20          ~~(d)~~ AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$1,000,000 for each of fiscal years 1997 through 2002.

23   **SEC. 202. DESCHUTES BASIN RESTORATION PROJECTS.**

24          There is hereby authorized the Deschutes Basin Working Group to be constituted in the same manner;

1 with the same membership, provided with the same appro-  
 2 priations and provided with the same ability to offer rec-  
 3 ommendations to Federal agencies regarding the expendi-  
 4 ture of funds as the Klamath Basin Group.

## 5 **TITLE III—MOUNT HOOD** 6 **CORRIDOR**

### 7 **SEC. 301. LAND EXCHANGE.**

8 (a) AUTHORIZATION.—Notwithstanding any other  
 9 law, if Longview Fibre Company (referred to in this sec-  
 10 tion as “Longview”) offers and conveys title that is accept-  
 11 able to the United States to the land described in sub-  
 12 section (b), the Secretary of the Interior (referred to in  
 13 this section as the “Secretary”) shall convey to Longview  
 14 title to some or all of the land described in subsection (c),  
 15 as necessary to satisfy the requirements of subsection (d).

16 (b) LAND TO BE OFFERED BY LONGVIEW.—The  
 17 land referred to in subsection (a) as the land to be offered  
 18 by Longview is the land described as follows:

19 (1) T. 2 S., R. 6 E., sec. 13—E $\frac{1}{2}$ SW $\frac{1}{4}$ ,  
 20 W $\frac{1}{2}$ SE $\frac{1}{4}$ , containing 160 record acres, more or  
 21 less;

22 (2) T. 2 S., R. 6 E., sec. 14—All, containing  
 23 640 record acres, more or less;



1           (3) T. 2 S., R. 6 E., sec. 16—N $\frac{1}{2}$ , SW $\frac{1}{2}$ ,  
 2           N $\frac{1}{2}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{2}$ , containing 600 record acres,  
 3           more or less;

4           (4) T. 2 S., R. 6 E., sec. 26—NW $\frac{1}{4}$ ,  
 5           N $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; (and a strip of  
 6           land to be used for right-of-way purposes in sec. 23),  
 7           containing 320 record acres, more or less;

8           (5) T. 2 S., R. 6 E., sec. 27—S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ ,  
 9           NW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ , containing  
 10          140 record acres, more or less;

11          (6) T. 2 S., R. 6 E., sec. 28—N $\frac{1}{2}$ , Except a  
 12          tract of land 100 feet square bordering and lying  
 13          west of Wild Cat Creek and bordering on the north  
 14          line of Sec. 28, described as follows: Beginning at a  
 15          point on the west bank of Wild Cat Creek and the  
 16          north boundary of sec. 28, running thence W. 100  
 17          feet, thence S. 100 feet parallel with the west bank  
 18          of Wild Cat Creek, thence E. to the west bank of  
 19          Wild Cat Creek, thence N. along said bank of Wild  
 20          Cat Creek to the point of beginning, containing  
 21          319.77 record acres, more or less;

22          (7) T. 2 S., R. 7 E., sec. 19—E $\frac{1}{2}$ SW $\frac{1}{4}$ ,  
 23          SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Except a tract of land described in deed  
 24          recorded on August 6, 1991, as Recorder's Fee No.

1 91-39007, and except the portion lying within public  
 2 roads, containing 117.50 record acres, more or less;

3 (8) T. 2 S., R. 7 E., sec. 20—S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
 4 containing 20 record acres, more or less;

5 (9) T. 2 S., R. 7 E., sec. 27—W $\frac{1}{2}$ SW $\frac{1}{4}$ , con-  
 6 taining 80 record acres, more or less;

7 (10) T. 2 S., R. 7 E., sec. 28—S $\frac{1}{2}$ , containing  
 8 320 record acres, more or less;

9 (11) T. 2 S., R. 7 E., sec. 29—SW $\frac{1}{4}$ NE $\frac{1}{4}$ ,  
 10 W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , SE $\frac{1}{4}$ , containing 380  
 11 record acres, more or less;

12 (12) T. 2 S., R. 7 E., sec. 30—E $\frac{1}{2}$ NE $\frac{1}{4}$ ,  
 13 NW $\frac{1}{2}$ NE $\frac{1}{4}$ , Except the portion lying within Tim-  
 14 berline Rim Division 4, and except the portion lying  
 15 within the county road, containing 115 record acres,  
 16 more or less;

17 (13) T. 2 S., R. 7 E., sec. 33—N $\frac{1}{2}$ NE $\frac{1}{4}$ ,  
 18 E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ , containing 110  
 19 record acres, more or less;

20 (14) T. 3 S., R. 5 E., sec. 13—NE $\frac{1}{4}$ SE $\frac{1}{4}$ ,  
 21 containing 40 record acres, more or less;

22 (15) T. 3 S., R. 5 E., sec. 25—The portion of  
 23 the E $\frac{1}{2}$ NE $\frac{1}{4}$  lying southerly of Eagle Creek and  
 24 northeasterly of South Fork Eagle Creek, containing  
 25 14 record acres, more or less;

1           (16) T. 3 S., R. 5 E., sec. 26—The portion of  
 2     the N $\frac{1}{2}$ SW $\frac{1}{4}$  lying northeasterly of South Fork  
 3     Eagle Creek, containing 36 record acres, more or  
 4     less; and

5           (17) T. 6 S., R. 2 E., sec. 4—SW $\frac{1}{4}$ , containing  
 6     160.00 record acres, more or less.

7     (c) LAND TO BE CONVEYED BY THE SECRETARY.—  
 8     The land referred to in subsection (a) as the land to be  
 9     conveyed by the Secretary is the land described as follows:

10           (1) T. 1 S., R. 5 E., sec. 9—SE $\frac{1}{4}$ NE $\frac{1}{4}$ ,  
 11     SE $\frac{1}{4}$ SE $\frac{1}{4}$ , containing 80 record acres, more or less;

12           (2) T. 2 S., R. 5 E., sec. 33—NE $\frac{1}{4}$ NE $\frac{1}{4}$ , con-  
 13     taining 40 record acres, more or less;

14           (3) T. 2 $\frac{1}{2}$  S., R. 6 E., sec. 31—Lots 1-4, incl.  
 15     containing 50.65 record acres, more or less;

16           (4) T. 2 $\frac{1}{2}$  S., R. 6 E., sec. 32—Lots 1-4, incl.  
 17     containing 60.25 record acres, more or less;

18           (5) T. 3 S., R. 5 E., sec. 1—NE $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
 19     SE $\frac{1}{4}$ , containing 200 record acres, more or less;

20           (6) T. 3 S., R. 5 E., sec. 9—S $\frac{1}{2}$ SE $\frac{1}{4}$ , contain-  
 21     ing 80 record acres, more or less;

22           (7) T. 3 S., R. 5 E., sec. 17—N $\frac{1}{2}$ NE $\frac{1}{4}$ , con-  
 23     taining 80 record acres, more or less;

1           (8) T. 3 S., R. 5 E., sec. 23—W $\frac{1}{2}$ NW $\frac{1}{4}$ ,  
 2           NW $\frac{1}{4}$ SW $\frac{1}{4}$ , containing 120 record acres, more or  
 3           less;

4           (9) T. 3 S., R. 5 E., sec. 25—The portion of  
 5           the S $\frac{1}{2}$ S $\frac{1}{2}$  lying southwesterly of South Fork Eagle  
 6           Creek, containing 125 record acres, more or less;

7           (10) T. 3 S., R. 5 E., sec. 31—Unnumbered lot  
 8           (SW $\frac{1}{4}$ SW $\frac{1}{4}$ ), containing 40.33 record acres, more  
 9           or less;

10           (11) T. 7 S., R. 1 E., sec. 23—SE $\frac{1}{4}$ SE $\frac{1}{4}$ , con-  
 11           taining 40 record acres, more or less;

12           (12) T. 10 S., R. 2 E., sec. 34—SW $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
 13           containing 40 record acres, more or less;

14           (13) T. 10 S., R. 4 E., sec. 9—NW $\frac{1}{4}$ NW $\frac{1}{4}$ ,  
 15           containing 40 record acres, more or less;

16           (14) T. 10 S., R. 4 E., sec. 21—E $\frac{1}{2}$ SW $\frac{1}{4}$ ,  
 17           containing 80 record acres, more or less;

18           (15) T. 4 N., R. 3 W., sec. 35—W $\frac{1}{2}$ SW $\frac{1}{4}$ ,  
 19           containing 80 record acres, more or less;

20           (16) T. 3 N., R. 3 W., sec. 7—E $\frac{1}{2}$ NE $\frac{1}{4}$ , con-  
 21           taining 80 record acres, more or less;

22           (17) T. 3 N., R. 3 W., sec. 9—NE $\frac{1}{4}$ NE $\frac{1}{4}$ ,  
 23           containing 40 record acres, more or less;

24           (18) T. 3 N., R. 3 W., sec. 17—S $\frac{1}{2}$ NE $\frac{1}{4}$ , con-  
 25           taining 80 record acres, more or less; and

1           (19) T. 3 N., R. 3 W., sec. 21—Lot 1,  
 2       N $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , containing 157.99 record  
 3       acres, more or less.

4       (d) EQUAL VALUE.—The land and interests in land  
 5       exchanged under this section—

6           (1) shall be of equal market value; or

7           (2) shall be equalized using nationally recog-  
 8       nized appraisal standards, including, to the extent  
 9       appropriate, the Uniform Standards for Federal  
 10      Land Acquisition, the Uniform Standards of Profes-  
 11      sional Appraisal Practice, the provisions of section  
 12      206(d) of the Federal Land Policy and Management  
 13      Act of 1976 (43 U.S.C. 1716(d)), and other applica-  
 14      ble law.

15      (e) REDESIGNATION OF LAND TO MAINTAIN REVE-  
 16      NUE FLOW.—So as to maintain the current flow of reve-  
 17      nue from land subject to the Act entitled “An Act relating  
 18      to the revested Oregon and California Railroad and recon-  
 19      veyed Coos Bay Wagon Road grant land situated in the  
 20      State of Oregon”, approved August 28, 1937 (43 U.S.C.  
 21      1181a et seq.), the Secretary may redesignate public do-  
 22      main land located in and west of Range 9 East, Willam-  
 23      ette Meridian, Oregon, as land subject to that Act.

1       (f) ~~TIMETABLE.~~—The exchange directed by this sec-  
 2       tion shall be consummated not later than 2 years after  
 3       the date of enactment of this Act.

4       (g) ~~AUTHORIZATION OF APPROPRIATIONS.~~—There  
 5       are authorized to be appropriated such sums as are nec-  
 6       essary to carry out this section.

7       **TITLE IV—COQUILLE FOREST**  
 8       **ECOSYSTEM MANAGEMENT**  
 9       **PLAN**

10      **SECTION 1. SHORT TITLE.**

11           *This Act may be cited as the “Oregon Resource Con-*  
 12      *servation Act of 1996”.*

13      **TITLE I—OPAL CREEK WILDER-**  
 14      **NESS AND SCENIC RECRE-**  
 15      **ATION AREA**

16      **SEC. 101. SHORT TITLE.**

17           *This title may be cited as the “Opal Creek Wilderness*  
 18      *and Opal Creek Scenic Recreation Area Act of 1996”.*

19      **SEC. 102. DEFINITIONS.**

20           *In this title:*

21               (1) *BULL OF THE WOODS WILDERNESS.*—*The*  
 22      *term “Bull of the Woods Wilderness” means the land*  
 23      *designated as wilderness by section 3(4) of the Oregon*  
 24      *Wilderness Act of 1984 (Public Law 98–328; 16*  
 25      *U.S.C. 1132 note).*

1           (2) *OPAL CREEK WILDERNESS.*—*The term “Opal*  
 2           *Creek Wilderness” means certain land in the Willam-*  
 3           *ette National Forest in the State of Oregon compris-*  
 4           *ing approximately 12,800 acres, as generally depicted*  
 5           *on the map entitled “Proposed Opal Creek Wilderness*  
 6           *and Scenic Recreation Area”, dated June 1996.*

7           (3) *SCENIC RECREATION AREA.*—*The term “Sce-*  
 8           *nic Recreation Area” means the Opal Creek Scenic*  
 9           *Recreation Area, comprising approximately 13,000*  
 10          *acres, established under section 103(a)(3).*

11          (4) *SECRETARY.*—*The term “Secretary” means*  
 12          *the Secretary of Agriculture.*

13          (5) *COUNTIES.*—*The term “counties” means*  
 14          *Marion and Clackamas Counties in the State of Or-*  
 15          *egon.*

16 **SEC. 103. ESTABLISHMENT OF OPAL CREEK WILDERNESS**  
 17 **AND SCENIC RECREATION AREA.**

18          (a) *ESTABLISHMENT.*—*On a determination by the*  
 19          *Secretary under subsection (b)—*

20               (1) *the Opal Creek Wilderness, as depicted on the*  
 21               *map described in section 102(2), is hereby designated*  
 22               *as wilderness, subject to the Wilderness Act of 1964,*  
 23               *shall become a component of the National Wilderness*  
 24               *System, and shall be known as the Opal Creek Wil-*  
 25               *derness;*

1           (2) *the part of the Bull of the Woods Wilderness*  
 2           *that is located in the Willamette National Forest shall*  
 3           *be incorporated into the Opal Creek Wilderness; and*

4           (3) *the Secretary shall establish the Opal Creek*  
 5           *Scenic Recreation Area in the Willamette National*  
 6           *Forest in the State of Oregon, comprising approxi-*  
 7           *mately 13,000 acres, as generally depicted on the map*  
 8           *entitled “Proposed Opal Creek Wilderness and Scenic*  
 9           *Recreation Area”, dated June 1996.*

10          (b) *CONDITIONS.—Subsection (a) shall not take effect*  
 11          *unless the Secretary makes a determination, not later than*  
 12          *2 years after the date of enactment of this Act, that:*

13               (1) *the following have been donated to the United*  
 14               *States in an acceptable condition and without encum-*  
 15               *brances:*

16                       (A) *All right, title, and interest in the fol-*  
 17                       *lowing patented parcels of land:*

18                               (i) *Santiam number 1, mineral survey*  
 19                               *number 992, as described in patent number*  
 20                               *39–92–0002, dated December 11, 1991.*

21                               (ii) *Ruth Quartz Mine number 2, min-*  
 22                               *eral survey number 994, as described in*  
 23                               *patent number 39–91–0012, dated February*  
 24                               *12, 1991.*



1                   (iii) *Morning Star Lode*, mineral sur-  
 2                   vey number 993, as described in patent  
 3                   number 36–91–0011, dated February 12,  
 4                   1991.

5                   (B) *all right, title, and interest held by any*  
 6                   *entity other than the Times Mirror Land and*  
 7                   *Timber Company, its successors and assigns, in*  
 8                   *and to lands located in section 18, township 8*  
 9                   *south, range 5 east, Marion County, Oregon, Eu-*  
 10                  *reka numbers 6, 7, and 8, and 13 mining claims.*

11                  (C) *A public easement across the Hewitt,*  
 12                  *Starvation, and Poor Boy Mill Sites, mineral*  
 13                  *survey number 990, as described in patent num-*  
 14                  *ber 36–91–0017, dated May 9, 1991.*

15                  (2) *a binding agreement has been executed by the*  
 16                  *Secretary and the owners of record as of March 29,*  
 17                  *1996, of the following parcels, specifying the terms*  
 18                  *and conditions for the disposition of these parcels to*  
 19                  *the United States Government:*

20                  (A) *The lode mining claims known as Prin-*  
 21                  *cess Lode, Black Prince Lode, and King Number*  
 22                  *4 Lode, embracing portions of sections 29 and*  
 23                  *32, township 8 south, range 5 east, Willamette*  
 24                  *Meridian, Marion County, Oregon, the claims*  
 25                  *being more particularly described in the field*

1           *notes and depicted on the plat of mineral survey*  
 2           *number 887, Oregon.*

3                     *(B) Ruth Quartz Mine Number 1, mineral*  
 4           *survey number 994, as described in patent num-*  
 5           *ber 39-91-0012, dated February 12, 1991.*

6           *(c) EXPANSION OF SCENIC RECREATION AREA BOUND-*  
 7   *ARIES.—On acquiring all or substantially all of the land*  
 8   *located in section 36, township 8 south, range 4 east, of*  
 9   *the Willamette Meridian, Marion County, Oregon, by ex-*  
 10   *change, purchase on a willing seller basis, or donation, the*  
 11   *Secretary shall expand the boundary of the Scenic Recre-*  
 12   *ation Area to include the land.*

13   **SEC. 104. ADMINISTRATION OF THE SCENIC RECREATION**  
 14                     **AREA.**

15           *(a) IN GENERAL.—The Secretary shall administer the*  
 16   *Scenic Recreation Area in accordance with the laws (in-*  
 17   *cluding regulations) applicable to the National Forest Sys-*  
 18   *tem.*

19           *(b) OPAL CREEK MANAGEMENT PLAN.—*

20                     *(1) IN GENERAL.—Not later than 2 years after*  
 21   *the date of establishment of the Scenic Recreation*  
 22   *Area, the Secretary, in consultation with the advisory*  
 23   *committee established under section 105(a), shall pre-*  
 24   *pare a comprehensive Opal Creek Management Plan*  
 25   *for the Scenic Recreation Area.*

1           (2) *INCORPORATION IN LAND AND RESOURCE*  
 2           *MANAGEMENT PLAN.*—On completion of the Opal  
 3           Creek Management Plan, the Opal Creek Management  
 4           Plan shall become part of the land and resource man-  
 5           agement plan for the Willamette National Forest and  
 6           supersede any conflicting provision in the land and  
 7           resource management plan.

8           (3) *REQUIREMENTS.*—The Opal Creek Manage-  
 9           ment Plan shall provide a broad range of land uses,  
 10          including—

11                   (A) recreation;

12                   (B) harvesting of nontraditional forest  
 13           products, such as gathering mushrooms and ma-  
 14           terial to make baskets; and

15                   (C) educational and research opportunities.

16          (4) *PLAN AMENDMENTS.*—The Secretary may  
 17          amend the Opal Creek Management Plan as the Sec-  
 18          retary may determine to be necessary, consistent with  
 19          the procedures and purposes of this title.

20          (c) *CULTURAL AND HISTORIC RESOURCE INVEN-*  
 21          *TORY.*—

22                   (1) *IN GENERAL.*—Not later than 1 year after  
 23          the date of establishment of the Scenic Recreation  
 24          Area, the Secretary shall review and revise the inven-  
 25          tory of the cultural and historic resources on the pub-

1        *lic land in the Scenic Recreation Area that were de-*  
 2        *veloped pursuant to the Oregon Wilderness Act of*  
 3        *1984 (Public Law 98–328; 98 Stat. 272).*

4            (2) *INTERPRETATION.—Interpretive activities*  
 5        *shall be developed under the management plan in con-*  
 6        *sultation with State and local historic preservation*  
 7        *organizations and shall include a balanced and factu-*  
 8        *ally-based interpretation of the cultural, ecological,*  
 9        *and industrial history of forestry and mining in the*  
 10       *Scenic Recreation Area.*

11       (d) *TRANSPORTATION PLANNING.—*

12           (1) *IN GENERAL.—To maintain access to recre-*  
 13        *ation sites and facilities in existence on the date of*  
 14        *enactment of this Act, the Secretary shall prepare a*  
 15        *transportation plan for the Scenic Recreation Area*  
 16        *that evaluates the road network within the Scenic*  
 17        *Recreation Area to determine which roads should be*  
 18        *retained and which roads closed.*

19           (2) *ACCESS BY PERSONS WITH DISABILITIES.—*  
 20        *The Secretary shall consider the access needs of per-*  
 21        *sons with disabilities in preparing the transportation*  
 22        *plan for the Scenic Recreation Area.*

23           (3) *MOTOR VEHICLES.—*

24           (A) *IN GENERAL.—Except as provided in*  
 25        *subparagraph (B) and in the transportation*

1            *plan under paragraph (1), motorized vehicles*  
 2            *shall not be permitted in the Scenic Recreation*  
 3            *Area.*

4            *(B) EXCEPTION.—Forest road 2209 beyond*  
 5            *the gate to the Scenic Recreation Area, as de-*  
 6            *picted on the map described in section 103(a)(3),*  
 7            *may be used by motorized vehicles only for ad-*  
 8            *ministrative purposes and for access to a private*  
 9            *inholding, subject to such terms and conditions*  
 10           *as the Secretary may determine to be necessary.*

11           *(4) ROAD IMPROVEMENT.—Any construction or*  
 12           *improvement of forest road 2209 beyond the gate to*  
 13           *the Scenic Recreation Area shall be only for the pur-*  
 14           *pose of maintaining the character of the road at the*  
 15           *time of enactment and may not include paving or*  
 16           *widening.*

17           *(e) HUNTING AND FISHING.—*

18           *(1) IN GENERAL.—Subject to other Federal and*  
 19           *State law, the Secretary shall permit hunting and*  
 20           *fishing in the Scenic Recreation Area.*

21           *(2) LIMITATION.—The Secretary may designate*  
 22           *zones in which, and establish periods when, no hunt-*  
 23           *ing or fishing shall be permitted for reasons of public*  
 24           *safety, administration, or public use and enjoyment.*

1           (3) *CONSULTATION.*—*Except during an emer-*  
 2           *gency, as determined by the Secretary, the Secretary*  
 3           *shall consult with the Oregon State Department of*  
 4           *Fish and Wildlife before issuing any regulation under*  
 5           *this section.*

6           (f) *TIMBER CUTTING.*—

7           (1) *IN GENERAL.*—*Subject to paragraph (2), the*  
 8           *Secretary shall prohibit the cutting and/or selling of*  
 9           *trees in the Scenic Recreation Area.*

10          (2) *PERMITTED CUTTING.*—

11               (A) *IN GENERAL.*—*Subject to subparagraph*  
 12               *(B), the Secretary may allow the cutting of trees*  
 13               *in the Scenic Recreation Area only—*

14                       (i) *for public safety, such as to control*  
 15                       *the spread of a forest fire in the Scenic*  
 16                       *Recreation Area or on land adjacent to the*  
 17                       *Scenic Recreation Area;*

18                       (ii) *for activities related to adminis-*  
 19                       *tration of the Scenic Recreation Area, con-*  
 20                       *sistent with the Opal Creek Management*  
 21                       *Plan; or*

22                       (iii) *for removal of hazard trees along*  
 23                       *trails and roadways.*

1                   (B) *SALVAGE SALES.*—*The Secretary may*  
 2                   *not allow a salvage sale in the Scenic Recreation*  
 3                   *Area.*

4           (g) *WITHDRAWAL.*

5                   (1) *Subject to valid existing rights, all lands in*  
 6                   *the Scenic Recreation Area are withdrawn from—*

7                           (A) *any form of entry, appropriation, or*  
 8                           *disposal under the public land laws;*

9                           (B) *location, entry, and patent under the*  
 10                          *mining laws; and*

11                          (C) *disposition under the mineral and geo-*  
 12                          *thermal leasing laws.*

13           (h) *BORNITE PROJECT.*

14                   (1) *Nothing in this title shall be construed to*  
 15                   *interfere with or approve any exploration, mining, or*  
 16                   *mining-related activity in the Bornite Project Area*  
 17                   *conducted in accordance with applicable laws. The*  
 18                   *Bornite Project Area is depicted on the map described*  
 19                   *in section 103(a)(3).*

20                   (2) *Nothing in this title shall be construed to*  
 21                   *interfere with the ability of the Secretary to approve*  
 22                   *and issue special use permits in connection with ex-*  
 23                   *ploration, mining, and mining-related activities in*  
 24                   *the Bornite Project Area.*

1           (3) *Motorized vehicles, roads, structures, and*  
 2           *utilities (including but not limited to power lines and*  
 3           *water lines) shall be allowed inside the Scenic Recre-*  
 4           *ation Area to serve the activities conducted on land*  
 5           *within the Bornite Project.*

6           (4) *After the date of enactment of this title, no*  
 7           *patent shall be issued for any mining claim under the*  
 8           *general mining laws located within the Bornite*  
 9           *Project Area.*

10          (i) *WATER IMPOUNDMENTS.—Notwithstanding the*  
 11          *Federal Power Act (16 U.S.C. 791a et seq.), the Federal*  
 12          *Energy Regulatory Commission may not license the con-*  
 13          *struction of any dam, water conduit, reservoir, powerhouse,*  
 14          *transmission line, or other project work in the Scenic Recre-*  
 15          *ation Area, except as may be necessary to comply with (h).*

16          (j) *RECREATION.—*

17               (1) *RECOGNITION.—Congress recognizes recre-*  
 18               *ation as an appropriate use of the Scenic Recreation*  
 19               *Area.*

20               (2) *MINIMUM LEVELS.—The management plan*  
 21               *shall accommodate recreation at not less than the lev-*  
 22               *els in existence on the date of enactment of this Act.*

23               (3) *HIGHER LEVELS.—The management plan*  
 24               *may provide for levels of recreation use higher than*  
 25               *the levels in existence on the date of enactment of this*



1       *Act if the levels are consistent with the protection of*  
 2       *resource values.*

3       *(k) PARTICIPATION.—In order that the knowledge, ex-*  
 4       *pertise, and views of all agencies and groups may contrib-*  
 5       *ute affirmatively to the most sensitive present and future*  
 6       *use of the Scenic Recreation Area and its various subareas*  
 7       *for the benefit of the public:*

8               *(1) ADVISORY COUNCIL.—The Secretary shall*  
 9       *consult on a periodic and regular basis with the advi-*  
 10       *sory council established under section 105 with re-*  
 11       *spect to matters relating to management of the Scenic*  
 12       *Recreation Area.*

13              *(2) PUBLIC PARTICIPATION.—The Secretary shall*  
 14       *seek the views of private groups, individuals, and the*  
 15       *public concerning the Scenic Recreation Area.*

16              *(3) OTHER AGENCIES.—The Secretary shall seek*  
 17       *the views and assistance of, and cooperate with, any*  
 18       *other Federal, State, or local agency with any respon-*  
 19       *sibility for the zoning, planning, or natural resources*  
 20       *of the Scenic Recreation Area.*

21              *(4) NONPROFIT AGENCIES AND ORGANIZA-*  
 22       *TIONS.—The Secretary shall seek the views of any*  
 23       *nonprofit agency or organization that may contribute*  
 24       *information or expertise about the resources and the*  
 25       *management of the Scenic Recreation Area.*

1 **SEC. 105. ADVISORY COUNCIL.**

2       (a) *ESTABLISHMENT.*—*On the establishment of the*  
3 *Scenic Recreation Area, the Secretary shall establish an ad-*  
4 *visory council for the Scenic Recreation Area.*

5       (b) *MEMBERSHIP.*—*The advisory council shall consist*  
6 *of not more than 13 members, of whom—*

7           (1) *1 member shall represent Marion County,*  
8 *Oregon, and shall be designated by the governing body*  
9 *of the county;*

10          (2) *1 member shall represent Clackamas County,*  
11 *Oregon and shall be designated by the governing body*  
12 *of the county;*

13          (3) *1 member shall represent the State of Oregon*  
14 *and shall be designated by the Governor of Oregon;*  
15 *and*

16          (4) *1 member each from the City of Salem and*  
17 *a city within a 25 mile radius of the Opal Creek Sce-*  
18 *nic Recreation Area.*

19          (5) *not more than 8 members shall be appointed*  
20 *by the Secretary from among persons who, individ-*  
21 *ually or through association with a national or local*  
22 *organization, have an interest in the administration*  
23 *of the Scenic Recreation Area, including, but not lim-*  
24 *ited to, representatives of the timber industry, envi-*  
25 *ronmental organizations, the mining industry,*  
26 *inholders in the wilderness and scenic recreation area,*

1       *and economic development interests and Indian*  
 2       *Tribes.*

3       (c) *STAGGERED TERMS.*—*Members of the advisory*  
 4       *council shall serve for staggered terms of 3 years.*

5       (d) *CHAIRMAN.*—*The Secretary shall designate 1 mem-*  
 6       *ber of the advisory council as chairman.*

7       (e) *VACANCIES.*—*The Secretary shall fill a vacancy on*  
 8       *the advisory council in the same manner as the original*  
 9       *appointment.*

10       (f) *COMPENSATION.*—*A member of the advisory council*  
 11       *shall not receive any compensation for the member's service*  
 12       *to the advisory council.*

13       **SEC. 106. GENERAL PROVISIONS.**

14       (a) *LAND ACQUISITION.*—

15               (1) *IN GENERAL.*—*Subject to the other provisions*  
 16       *of this subsection, the Secretary may acquire any*  
 17       *lands or interests in land in the Scenic Recreation*  
 18       *Area or the Opal Creek Wilderness that the Secretary*  
 19       *determines are needed to carry out this title.*

20               (2) *PUBLIC LAND.*—*Any lands or interests in*  
 21       *land owned by a State or a political subdivision of*  
 22       *a State may be acquired only by donation or ex-*  
 23       *change.*

24               (3) *CONDEMNATION.*—*Subject to paragraph (4),*  
 25       *the Secretary may not acquire any privately owned*

1     *land or interest in land without the consent of the*  
 2     *owner unless the Secretary finds that—*

3             *(A) the nature of land use has changed sig-*  
 4             *nificantly, or the landowner has demonstrated*  
 5             *intent to change the land use significantly, from*  
 6             *the use that existed on the date of the enactment*  
 7             *of this Act; and*

8             *(B) acquisition by the Secretary of the land*  
 9             *or interest in land is essential to ensure use of*  
 10            *the land or interest in land in accordance with*  
 11            *the management plan prepared under section*  
 12            *104(b).*

13     ***(b) ENVIRONMENTAL RESPONSE ACTIONS AND COST***  
 14     ***RECOVERY.—***

15            ***(1) RESPONSE ACTIONS.—****Nothing in this title*  
 16            *shall limit the authority of the Secretary or a respon-*  
 17            *sible party to conduct an environmental response ac-*  
 18            *tion in the Scenic Recreation Area in connection with*  
 19            *the release, threatened release, or cleanup of a hazard-*  
 20            *ous substance, pollutant, or contaminant, including a*  
 21            *response action conducted under the Comprehensive*  
 22            *Environmental Response, Compensation, and Liabil-*  
 23            *ity Act of 1980 (42 U.S.C. 9601 et seq.).*

24            ***(2) LIABILITY.—****Nothing in this title shall limit*  
 25            *the authority of the Secretary or a responsible party*

1       to recover costs related to the release, threatened re-  
 2       lease, or cleanup of any hazardous substance or pol-  
 3       lutant or contaminant in the Scenic Recreation Area.

4       (c) *MAPS AND DESCRIPTION.*—

5           (1) *IN GENERAL.*—As soon as practicable after  
 6       the date of enactment of this Act, the Secretary shall  
 7       file a map and a boundary description for the Opal  
 8       Creek Wilderness and for the Scenic Recreation Area  
 9       with the Committee on Resources of the House of Rep-  
 10      resentatives and the Committee on Energy and Natu-  
 11      ral Resources of the Senate.

12          (2) *FORCE AND EFFECT.*—The boundary descrip-  
 13      tion and map shall have the same force and effect as  
 14      if the description and map were included in this title,  
 15      except that the Secretary may correct clerical and ty-  
 16      pographical errors in the boundary description and  
 17      map.

18          (3) *AVAILABILITY.*—The map and boundary de-  
 19      scription shall be on file and available for public in-  
 20      spection in the Office of the Chief of the Forest Serv-  
 21      ice, Department of Agriculture.

22       (d) Nothing in this title shall interfere with any activ-  
 23      ity for which a special use permit has been issued and not  
 24      revoked before the date of enactment of this title, subject to  
 25      the terms of the permit.

1 **SEC. 107. ROSBORO LAND EXCHANGE.**

2 (a) *AUTHORIZATION.*—Notwithstanding any other  
 3 law, if the Rosboro Lumber Company (referred to in this  
 4 section as “Rosboro”) offers and conveys title to the United  
 5 States acceptable to the Secretary of Agriculture to the land  
 6 described in subsection (b), all right, title and interest held  
 7 by the United States to sufficient lands described in sub-  
 8 section (c) of equivalent equal value are conveyed by oper-  
 9 ation of law to Rosboro.

10 (b) *LAND TO BE OFFERED BY ROSBORO.*—The land  
 11 referred to in subsection (a) as the land to be offered by  
 12 Rosboro is the land described as follows: Section 36, town-  
 13 ship 8 south, range 4 east, Willamette Meridian.

14 (c) *LAND TO BE CONVEYED BY THE UNITED*  
 15 *STATES.*—The land referred to in subsection (a) as the land  
 16 to be conveyed by the United States is the land described  
 17 as follows:

18 (1) Section 2, township 17 south, range 4 east,  
 19 lot 3 (29.28 acres).

20 (2) Section 2, township 17 south, range 4 east,  
 21  $NW^{1/4}$ ,  $SE^{1/4}$  (40 acres).

22 (3) Section 13, township 17 south, range 4 east,  
 23  $S^{1/2}$ ,  $SE^{1/4}$  (80 acres).

24 (4) Section 2, township 17 south, range 4 east,  
 25  $SW^{1/4}$ ,  $SW^{1/4}$  (40 acres).

1           (5) Section 8, township 17 south, range 4 east,  
2       *SE<sup>1/4</sup>, SW<sup>1/4</sup> (40 acres).*

3           (6) Section 5, township 17 south, range 4 east,  
4       *lot 7 (37.63 acres).*

5           (7) Section 11, township 17 south, range 4 east,  
6       *W<sup>1/2</sup>, NW<sup>1/4</sup> (80 acres).*

7       *(d) The values of lands to be exchanged pursuant to*  
8 *this subsection shall be equal as determined by the Secretary*  
9 *of Agriculture, or if they are not equal, shall be equalized*  
10 *by additional lands or by the payment of money to Rosboro*  
11 *or to the Secretary subject to the 25 per centum cash equali-*  
12 *zation limitation of section 206 of the Federal Land Policy*  
13 *and Management Act of 1976, as amended (43 U.S.C.*  
14 *1716).*

15       *(e) TIMETABLE.—The authority provided by this sec-*  
16 *tion shall lapse if Rosboro fails to offer the land described*  
17 *in subsection (b) within two years after the date of enact-*  
18 *ment of this Act. If Rosboro does offer the land described*  
19 *in subsection (b) within such two-year period, the Secretary*  
20 *shall within 180 days convey the land described in sub-*  
21 *section (c) to Rosboro.*

22       *(f) AUTHORIZATION OF APPROPRIATIONS.—There are*  
23 *authorized to be appropriated such sums as are necessary*  
24 *to carry out this section.*

1 **SEC. 108. DESIGNATION OF ELKHORN CREEK AS A WILD**  
 2 **AND SCENIC RIVER.**

3 *Section 3(a) of the Wild and Scenic Rivers Act (16*  
 4 *U.S.C. 1274(a)) is amended by adding at the end the follow-*  
 5 *ing:*

6 “( ) (A) *ELKHORN CREEK.*—*Elkhorn Creek*  
 7 *from its source to its confluence on Federal land to*  
 8 *be administered by agencies of the Departments of the*  
 9 *Interior and Agriculture as agreed on by the Sec-*  
 10 *retary of the Interior and the Secretary of Agriculture*  
 11 *or as directed by the President. Notwithstanding sub-*  
 12 *section 3(b), the lateral boundaries of the Elkhorn*  
 13 *River shall include an average of not more than 640*  
 14 *acres per mile measured from the ordinary high water*  
 15 *mark on both sides of the river.*

16 “(B) *The 6.4-mile segment traversing federally*  
 17 *administered lands from that point along the Willam-*  
 18 *ette National Forest boundary on the common section*  
 19 *line between sections 12 and 13, township 9 south,*  
 20 *range 4 east, Willamette Meridian, to that point*  
 21 *where it leaves Federal ownership along the Bureau*  
 22 *of Land Management boundary in section 1, township*  
 23 *9 south, range 3 east, Willamette Meridian, in the fol-*  
 24 *lowing classes:*

25 “(i) *a 5.8-mile wild river area, extended*  
 26 *from that point along the Willamette National*



1       *Forest boundary on the common section line be-*  
 2       *tween sections 12 and 13, township 9 south,*  
 3       *range 4 east, Willamette Meridian, to be admin-*  
 4       *istered as agreed on by the Secretaries of Agri-*  
 5       *culture and the Interior, or as directed by the*  
 6       *President; and*

7               “(ii) a 0.6-mile scenic river area, extending  
 8       *from the confluence with Buck Creek in section*  
 9       *1, township 9 south, range 3 east, Willamette*  
 10       *Meridian, to that point where it leaves Federal*  
 11       *ownership along the Bureau of Land Manage-*  
 12       *ment boundary in section 1, township 9 south,*  
 13       *range 3 east, Willamette Meridian, to be admin-*  
 14       *istered by the Secretary of the Interior, or as di-*  
 15       *rected by the President.*

16               “(C) Notwithstanding section 3(b) of this Act,  
 17       *the lateral boundaries of both the wild river area and*  
 18       *the scenic river area along Elkhorn Creek shall in-*  
 19       *clude an average of not more than 640 acres per mile*  
 20       *measured from the ordinary high water mark on both*  
 21       *sides of the river.”.*

22   **SEC. 109. ECONOMIC DEVELOPMENT.**

23       (a) *ECONOMIC DEVELOPMENT PLAN.*—*As a condition*  
 24       *for receiving funding under subsection (b) of this section,*  
 25       *the State of Oregon, in consultation with the counties and*

1 *the Secretary of Agriculture, shall develop a plan for eco-*  
 2 *nomie development projects for which grants under this sec-*  
 3 *tion may be used in a manner consistent with this Act and*  
 4 *to benefit local communities in the vicinity of the Opal*  
 5 *Creek Area. Such plan shall be based on a formal economic*  
 6 *opportunity study and other appropriate information.*

7       **(b) FUNDS PROVIDED TO THE STATES FOR GRANTS.—**  
 8 *Upon certification of the management plan, and receipt of*  
 9 *a plan referred to in subsection (a) of this section, the Sec-*  
 10 *retary shall provide \$15,000,000, subject to appropriations,*  
 11 *to the State of Oregon which shall be used to make grants*  
 12 *and loans for economic development projects that further*  
 13 *the purposes of this Act and benefit the local communities*  
 14 *in the vicinity of the Opal Creek Area.*

15       **(c) REPORT.—***The State of Oregon shall—*

16               **(1)** *prepare and provide the Secretary and Con-*  
 17 *gress with an annual report to the Secretary and*  
 18 *Congress on the use of the funds made available under*  
 19 *this section;*

20               **(2)** *make available to the Secretary and to Con-*  
 21 *gress, upon request, all accounts, financial records,*  
 22 *and other information related to grants and loans*  
 23 *made available pursuant to this section; and*

(3) as loans are repaid, make additional grants and loans with the money made available for obligation by such repayments.

## **TITLE II—UPPER KLAMATH BASIN**

### **SEC. 201. UPPER KLAMATH BASIN ECOLOGICAL RESTORATION PROJECTS.**

(a) *DEFINITIONS.—In this section:*

(1) *ECOSYSTEM RESTORATION OFFICE.—The term “Ecosystem Restoration Office” means the Klamath Basin Ecosystem Restoration Office operated cooperatively by the United States Fish and Wildlife Service, Bureau of Reclamation, Bureau of Land Management, and Forest Service.*

(2) *WORKING GROUP.—The term “Working Group” means the Upper Klamath Basin Working Group, established before the date of enactment of this Act, consisting of members nominated by their represented groups, including:*

(A) *3 tribal members;*

(B) *1 representative of the city of Klamath Falls, Oregon;*

(C) *1 representative of Klamath County, Oregon;*

1           (D) 1 representative of institutions of higher  
2 education in the Upper Klamath Basin;

3           (E) 4 representatives of the environmental  
4 community, including at least one such rep-  
5 resentative from the State of California with in-  
6 terests in the Upper Klamath Basin Wildlife  
7 Refuges;

8           (F) 4 representatives of local businesses and  
9 industries, including at least one representative  
10 of the ocean commercial fishing industry and/or  
11 recreational fishing industry based in either Or-  
12 egon or California;

13           (G) 4 representatives of the ranching and  
14 farming community, including representatives of  
15 Federal lease-land farmers and ranchers and of  
16 private land farmers and ranchers in the Upper  
17 Klamath Basin;

18           (H) 2 representatives from State of Oregon  
19 agencies with authority and responsibility in the  
20 Klamath River Basin, including one from the  
21 Oregon Department of Fish and Wildlife and one  
22 from the Oregon Water Resources Department;

23           (I) 4 representatives from the local commu-  
24 nity; and

1                   (J) 1 representative each from the following  
 2                   Federal resource management agencies in the  
 3                   Upper Klamath Basin: Fish and Wildlife Serv-  
 4                   ice, Bureau of Reclamation, Bureau of Land  
 5                   Management, Bureau of Indian Affairs, Forest  
 6                   Service, Natural Resources Conservation Service,  
 7                   and Ecosystem Restoration Office.

8                   (3) SECRETARY.—The term “Secretary” means  
 9                   the Secretary of the Interior.

10                  (4) TASK FORCE.—The term “Task Force”  
 11                  means the Klamath River Basin Fisheries Task Force  
 12                  as established by the Klamath River Basin Fishery  
 13                  Resource Restoration Act (Public Law 99–552, 16  
 14                  U.S.C. 460ss–3, et seq.).

15                  (5) COMPACT COMMISSION.—The term “Compact  
 16                  Commission” means the Klamath River Basin Com-  
 17                  pact Commission created pursuant to the Klamath  
 18                  River Compact Act of 1954.

19                  (6) CONSENSUS.—The term “consensus” means a  
 20                  unanimous agreement by the Working Group mem-  
 21                  bers present at a regularly scheduled business meet-  
 22                  ing.

23                  (b) IN GENERAL.—

24                  (1) The working Group through the Ecosystem  
 25                  Restoration Office, with technical assistance from the

1     *Secretary, will propose ecological restoration projects,*  
2     *economic development and stability projects, and*  
3     *projects designed to reduce the impacts of drought*  
4     *conditions to be undertaken in the Upper Klamath*  
5     *Basin based on a consensus of the Working Group*  
6     *membership.*

7             *(2) The Secretary shall pay, to the greatest ex-*  
8     *tent feasible, up to 50 percent of the cost of perform-*  
9     *ing any project approved by the Secretary or his des-*  
10    *ignee, up to a total amount of \$1,000,000 during each*  
11    *of fiscal years 1997 through 2001.*

12            *(3) Funds made available under this title*  
13    *through the Department of the Interior or the Depart-*  
14    *ment of Agriculture shall be distributed through the*  
15    *Ecosystem Restoration Office.*

16            *(4) The Ecosystem Restoration Office may utilize*  
17    *not more than 15 percent of all Federal funds admin-*  
18    *istered under this section for administrative costs re-*  
19    *lating to the implementation of this title.*

20            *(5) All funding recommendations developed by*  
21    *the Working Group shall be based on a consensus of*  
22    *Working Group members.*

23    *(c) COORDINATION.—*

24            *(1) The Secretary shall formulate a cooperative agree-*  
25    *ment between the Working Group, the Task Force, and the*

1 *Compact Commission for the purposes of ensuring that*  
 2 *projects proposed and funded through the Working Group*  
 3 *are consistent with other basin-wide fish and wildlife res-*  
 4 *toration and conservation plans, including but not limited*  
 5 *to plans developed by the Task Force and the Compact Com-*  
 6 *mission.*

7       (2) *To the greatest extent practicable, the Working*  
 8 *Group shall provide notice to, and accept input from, two*  
 9 *members each of the Task Force and the Compact Commis-*  
 10 *sion, so appointed by those entities, for the express purpose*  
 11 *of facilitating better communication and coordination re-*  
 12 *garding additional basin-wide fish and wildlife and eco-*  
 13 *system restoration and planning efforts.*

14       (d) *PUBLIC MEETINGS.—The Working Group shall*  
 15 *conduct all meetings consistent with Federal open meeting*  
 16 *and public participation laws. The chartering requirements*  
 17 *of 5 U.S.C. App 2 §§ 1–15 are hereby deemed to have been*  
 18 *met by this section;*

19       (e) *TERMS AND VACANCIES.—Working Group members*  
 20 *shall serve for three year terms, beginning on the date of*  
 21 *enactment of this Act. Vacancies which occur for any reason*  
 22 *after the date of enactment of this Act shall be filled by*  
 23 *direct appointment of the Governor of the State of Oregon,*  
 24 *in consultation with the Secretary of Interior and the Sec-*  
 25 *retary of Agriculture, in accordance with nominations from*

1 *the appropriate groups, interests, and government agencies*  
 2 *outlined in section (a)(2).*

3 *(f) AUTHORIZATION OF APPROPRIATIONS.—There are*  
 4 *authorized to be appropriated to carry out this section*  
 5 *\$1,000,000 for each of fiscal years 1997 through 2002.*

## 6 ***TITLE III—DESCHUTES BASIN***

### 7 ***SEC. 301. DESCHUTES BASIN ECOSYSTEM RESTORATION*** 8 ***PROJECTS.***

9 *(a) DEFINITIONS.—In this section:*

10 *(1) WORKING GROUP.—The term “Working*  
 11 *Group” means the Deschutes River Basin Working*  
 12 *Group established before the date of enactment of this*  
 13 *Act, consisting of members nominated by their rep-*  
 14 *resented groups, including:*

15 *(A) 5 representatives of private interests in-*  
 16 *cluding one each from hydroelectric production,*  
 17 *livestock grazing, timber, land development, and*  
 18 *recreation/tourism;*

19 *(B) 4 representatives of private interests in-*  
 20 *cluding two each from irrigated agriculture and*  
 21 *the environmental community;*

22 *(C) 2 representatives from the Confederated*  
 23 *Tribes of the Warm Springs Reservation of Or-*  
 24 *egon;*



1                   (D) 2 representatives from Federal Agencies  
 2                   with authority and responsibility in the  
 3                   Deschutes River Basin, including one from the  
 4                   Interior Department and one from the Agri-  
 5                   culture Department;

6                   (E) 2 representatives from the State of Or-  
 7                   egon agencies with authority and responsibility  
 8                   in the Deschutes River Basin, including one  
 9                   from the Oregon Department of Fish and Wild-  
 10                  life and one from the Oregon Water Resources  
 11                  Department; and

12                  (F) 4 representatives from Deschutes River  
 13                  Basin county and/or city governments, which  
 14                  may include representatives from Deschutes,  
 15                  Crook, Jefferson, and Wasco/Sherman counties.

16                  (2) SECRETARY.—The term “Secretary” means  
 17                  the Secretary of the Interior.

18                  (3) FEDERAL AGENCIES.—The term “Federal  
 19                  Agencies” means agencies and departments of the  
 20                  United States, including, but not limited to, the Bu-  
 21                  reau of Reclamation, Bureau of Indian Affairs, Bu-  
 22                  reau of Land Management, Fish and Wildlife Service,  
 23                  Forest Service, Natural Resources Conservation Serv-  
 24                  ice, Farm Services Agency, the National Marine Fish-

1        *eries Service, and the Bonneville Power Administra-*  
 2        *tion.*

3            (4) *CONSENSUS.*—*The term “consensus” means a*  
 4        *unanimous agreement by the Working Group mem-*  
 5        *bers present at a regularly scheduled business meet-*  
 6        *ing.*

7        (b) *IN GENERAL.*—

8            (1) *The Working Group will propose ecological*  
 9        *restoration projects on both Federal and non-federal*  
 10       *lands and waters to be undertaken in the Deschutes*  
 11       *River Basin based on a consensus of the Working*  
 12       *Group, provided that such projects, when involving*  
 13       *Federal land or funds, shall be proposed to the Bu-*  
 14       *reau of Reclamation in the Department of the Inte-*  
 15       *rior and any other Federal agency with affected land*  
 16       *or funds.*

17          (2) *The Working Group will accept donations,*  
 18        *grants or other funds and place the amount of such*  
 19        *funds received into a trust fund, to be expended on the*  
 20        *performance of ecological restoration projects which,*  
 21        *when involving federal land or funds, are approved*  
 22        *by the affected Federal Agency.*

23          (3) *The Bureau of Reclamation shall pay, to the*  
 24        *greatest extent feasible, from funds authorized under*  
 25        *subsection (g) of this Act up to 50 percent of the cost*

1       of performing any project proposed by the Working  
2       Group and approved by the Secretary, up to a total  
3       amount of \$1,000,000 during each of the fiscal years  
4       1997 through 2001.

5               (4) Non-Federal contributions to project costs for  
6       purposes of computing the Federal matching share  
7       under paragraph (3) of this subsection may include  
8       in-kind contributions.

9               (5) Funds authorized in subsection (g) of this  
10      section shall be maintained in and distributed by the  
11      Bureau of Reclamation in the Department of the In-  
12      terior. The Bureau of Reclamation shall not expend  
13      more than 5 percent of amounts appropriated pursu-  
14      ant to subsection (g) for Federal administration of  
15      such appropriations pursuant to this Act.

16              (6) The Bureau of Reclamation is authorized to  
17      provide by grant to the Working Group not more than  
18      5 percent of funds appropriated pursuant to sub-  
19      section (g) of this section for not more than 50 per-  
20      cent of administrative costs relating to the implemen-  
21      tation of this title; and

22              (7) The Federal Agencies with authority and re-  
23      sponsibility in the Deschutes River Basin shall pro-  
24      vide technical assistance to the Working Group and

1        *shall designate representatives to serve as members of*  
 2        *the Working Group.*

3            (8) *All funding recommendations developed by*  
 4        *the Working Group shall be based on a consensus of*  
 5        *the Working Group members.*

6            (c) *PUBLIC NOTICE AND PARTICIPATION.—The Work-*  
 7        *ing Group shall give reasonable public notice of all meetings*  
 8        *of the Working Group and allow public attendance at the*  
 9        *meetings. The activities of the Working Group and the Fed-*  
 10       *eral Agencies pursuant to the provisions of this Act are ex-*  
 11       *empt from the provisions of 5 U.S.C. App 2 §§ 1–15.*

12          (d) *PRIORITIES.—The Working Group shall give pri-*  
 13        *ority to voluntary market-based economic incentives for eco-*  
 14        *system restoration including, but not limited to, water*  
 15        *leases and purchases; land leases and purchases; tradable*  
 16        *discharge permits; and acquisition of timber, grazing, and*  
 17        *land development rights to implement plans, programs,*  
 18        *measures, and projects.*

19          (e) *TERMS AND VACANCIES.—Members of the Working*  
 20        *Group representing governmental agencies or entities shall*  
 21        *be named by the represented government. Members of the*  
 22        *Working Group representing private interests shall be*  
 23        *named in accordance with the Articles of Incorporation and*  
 24        *Bylaws of the Working Group. Representatives from Fed-*  
 25        *eral Agencies will serve for terms of 3 years. Vacancies*

1 *which occur for any reason after the date of enactment shall*  
 2 *be filled in accordance with this section.*

3 (f) *ADDITIONAL PROJECTS.—Where existing authority*  
 4 *and appropriations permit, Federal Agencies may contrib-*  
 5 *ute to the implementation of projects recommended by the*  
 6 *Working Group and approved by the Secretary.*

7 (g) *AUTHORIZATION OF APPROPRIATIONS.—There are*  
 8 *authorized to be appropriated to carry out this sections*  
 9 *\$1,000,000 for each of fiscal years 1997 through 2001.*

## 10 **TITLE IV—MOUNT HOOD** 11 **CORRIDOR**

### 12 **SEC. 401. LAND EXCHANGE.**

13 (a) *AUTHORIZATION.—Notwithstanding any other*  
 14 *law, if Longview Fibre Company (referred to in this section*  
 15 *as “Longview”) offers and conveys title that is acceptable*  
 16 *to the United States to some or all of the land described*  
 17 *in subsection (b), the Secretary of the Interior (referred to*  
 18 *in this section as the “Secretary”) shall convey to Longview*  
 19 *title to some or all of the land described in subsection (c),*  
 20 *as necessary to satisfy the requirements of subsection (d).*

21 (b) *LAND TO BE OFFERED BY LONGVIEW.—The land*  
 22 *referred to in subsection (a) as the land to be offered by*  
 23 *Longview is the land described as follows:*

24 (1) *T. 2 S., R. 6 E., sec. 13—E<sup>1/2</sup>SW<sup>1/4</sup>,*  
 25 *W<sup>1/2</sup>SE<sup>1/4</sup>, containing 160 record acres, more or less;*

1           (2) *T. 2 S., R. 6 E., sec. 14—All, containing 640*  
 2           *record acres, more or less;*

3           (3) *T. 2 S., R. 6 E., sec. 16— $N^{1/2}$ ,  $SW^{1/4}$ ,*  
 4            *$N^{1/2}SE^{1/4}$ ,  $SW^{1/4}SE^{1/4}$ , containing 600 record acres,*  
 5           *more or less;*

6           (4) *T. 2 S., R. 6 E., sec. 26— $NW^{1/4}$ ,  $N^{1/2}SW^{1/4}$ ,*  
 7            *$SW^{1/4}SW^{1/4}$ ,  $NW^{1/4}SE^{1/4}$ ; (and a strip of land to be*  
 8           *used for right-of-way purposes in sec. 23), containing*  
 9           *320 record acres, more or less;*

10          (5) *T. 2 S., R. 6 E., sec. 27— $S^{1/2}NE^{1/4}NE^{1/4}$ ,*  
 11           *$NW^{1/4}NE^{1/4}$ ,  $SE^{1/4}NE^{1/4}$ ,  $NW^{1/4}NW^{1/4}$ , containing 140*  
 12          *record acres, more or less;*

13          (6) *T. 2 S., R. 6 E., sec. 28— $N^{1/2}$ , Except a*  
 14          *tract of land 100 feet square bordering and lying west*  
 15          *of Wild Cat Creek and bordering on the north line of*  
 16          *sec. 28, described as follows: Beginning at a point on*  
 17          *the west bank of Wild Cat Creek and the north bound-*  
 18          *ary of sec. 28, running thence W. 100 feet, thence S.*  
 19          *100 feet parallel with the wet bank of Wild Cat Creek,*  
 20          *thence E. to the west bank of Wild Cat Creek, thence*  
 21          *N. along said bank of Wild Cat Creek to the point of*  
 22          *beginning, also excepting that portion of the*  
 23           *$NW^{1/4}NW^{1/4}$  lying east of Wildcat Creek, containing*  
 24          *319.77 record acres, more or less;*

1           (7) T. 2 S., R. 7 E., sec. 19— $E^{1/2}SW^{1/4}$ ,  
 2            $SW^{1/4}SE^{1/4}$ , Except a tract of land described in deed  
 3           recorded on August 6, 1991, as Recorder's Fee No.  
 4           91-39007, and except the portion lying within public  
 5           roads, containing 117.50 record acres, more or less;

6           (8) T. 2 S., R. 7 E., sec. 20— $S^{1/2}SW^{1/4}SW^{1/4}$ ,  
 7           containing 20 record acres, more or less;

8           (9) T. 2 S., R. 7 E., sec. 27— $W^{1/2}SW^{1/4}$ , con-  
 9           taining 80 record acres, more or less;

10          (10) T. 2 S., R. 7 E., sec. 28— $S^{1/2}$ , containing  
 11          320 record acres, more or less;

12          (11) T. 2 S., R. 7 E., sec. 29— $SW^{1/4}NE^{1/4}$ ,  
 13           $W^{1/2}SE^{1/4}NE^{1/4}$ ,  $NW^{1/4}$ ,  $SE^{1/4}$ , containing 380 record  
 14          acres, more or less;

15          (12) T. 2 S., R. 7 E., sec. 30— $E^{1/2}NE^{1/4}$ ,  
 16           $NW^{1/4}NE^{1/4}$ , Except the portion lying within Timber-  
 17          line Rim Division 4, and except the portion lying  
 18          within the county road, containing 115 record acres,  
 19          more or less;

20          (13) T. 2 S., R. 7 E., sec. 33— $N^{1/2}NE^{1/4}$ ,  
 21           $E^{1/2}NW^{1/4}NW^{1/4}$ ,  $NE^{1/4}SW^{1/4}NW^{1/4}$ , containing 110  
 22          record acres, more or less;

23          (14) T. 3 S., R. 5 E., sec. 13— $NE^{1/4}SE^{1/4}$ , con-  
 24          taining 40 record acres, more or less;

1           (15) *T. 3 S., R. 5 E., sec. 26—The portion of the*  
 2           *E<sup>1/2</sup>NE<sup>1/4</sup> lying southerly of Eagle Creek and north-*  
 3           *easterly of South Fork Eagle Creek, containing 14*  
 4           *record acres, more or less;*

5           (16) *T. 3 S., R. 5 E., sec. 25—The portion of the*  
 6           *N<sup>1/2</sup>SW<sup>1/4</sup> lying northeasterly of South Fork Eagle*  
 7           *Creek, containing 36 record acres, more or less; and*

8           (17) *T. 6 S., R. 2 E., sec. 4—SW<sup>1/4</sup>, containing*  
 9           *160.00 record acres, more or less.*

10          (c) *LAND TO BE CONVEYED BY THE SECRETARY.—*  
 11          *The land referred to in subsection (a) as the land to be con-*  
 12          *veyed by the Secretary is the land described as follows:*

13           (1) *T. 1 S., R. 5 E., sec. 9—SE<sup>1/4</sup>NE<sup>1/4</sup>,*  
 14           *SE<sup>1/4</sup>SE<sup>1/4</sup>, containing 80 record acres, more or less;*

15           (2) *T. 2 S., R. 5 E., sec. 33—NE<sup>1/4</sup>NE<sup>1/4</sup>, con-*  
 16           *taining 40 record acres, more or less.*

17           (3) *T. 2<sup>1/2</sup> S., R. 6 E., sec. 31—Lots 1–4, incl.*  
 18           *containing 50.65 record acres, more or less;*

19           (4) *T. 2<sup>1/2</sup> S., R. 6 E., sec. 32—Lots 1–4, incl.*  
 20           *containing 60.25 record acres, more or less;*

21           (5) *T. 3 S., R. 5 E., sec. 1—NE<sup>1/4</sup>SW<sup>1/4</sup>, SE<sup>1/4</sup>,*  
 22           *containing 200 record acres, more or less;*

23           (6) *T. 3 S., R. 5 E., sec. 9—S<sup>1/2</sup>SE<sup>1/4</sup>, contain-*  
 24           *ing 80 record acres, more or less;*



1           (7) *T. 3 S., R. 5 E., sec. 17— $N^{1/2}NE^{1/4}$ , contain-*  
 2           *ing 80 record acres, more or less;*

3           (8) *T. 3 S., R. 5 E., sec. 23— $W^{1/2}NW^{1/4}$ ,*  
 4            *$NW^{1/4}SW^{1/4}$ , containing 120 record acres, more or*  
 5           *less;*

6           (9) *T. 3 S., R. 5 E., sec. 25—The portion of the*  
 7            *$S^{1/2}S^{1/2}$ ,  $SW^{1/4}NW^{1/4}$  lying southwesterly of South*  
 8           *Fork Eagle Creek, containing 125 record acres, more*  
 9           *or less;*

10          (10) *T. 3 S., R. 5 E., sec. 31—Unnumbered lot*  
 11          *( $SW^{1/4}SW^{1/4}$ ), containing 40.33 record acres, more or*  
 12          *less;*

13          (11) *T. 7 S., R. 1 E., sec. 23— $SE^{1/4}SE^{1/4}$ , con-*  
 14          *taining 40 record acres, more or less;*

15          (12) *T. 10 S., R. 2 E., sec. 34— $SW^{1/4}SW^{1/4}$ , con-*  
 16          *taining 40 record acres, more or less;*

17          (13) *T. 10 S., R. 4 E., sec. 9— $NW^{1/4}NW^{1/4}$ , con-*  
 18          *taining 40 record acres, more or less;*

19          (14) *T. 4 N., R. 3 W., sec. 35— $W^{1/2}SW^{1/4}$ , con-*  
 20          *taining 80 record acres, more or less;*

21          (15) *T. 3 N., R. 3 W., sec. 7— $E^{1/2}NE^{1/4}$ , con-*  
 22          *taining 80 record acres, more or less;*

23          (16) *T. 3 N., R. 3 W., sec. 9— $SE^{1/4}NW^{1/4}$ , con-*  
 24          *taining 40 record acres, more or less;*

1           (17) *T. 3 N., R. 3 W., sec. 17—S<sup>1/2</sup>NE<sup>1/4</sup>, con-*  
 2           *taining 80 record acres, more or less;*

3           (18) *T. 3 N., R. 2 W., sec. 3—SW<sup>1/4</sup>NW<sup>1/4</sup>, con-*  
 4           *taining 40 record acres, more or less;*

5           (19) *T. 2 N., R. 2 W., sec. 3—SE<sup>1/4</sup>SE<sup>1/4</sup>, con-*  
 6           *taining 40 record acres, more or less; and*

7           (20) *T. 1 S., R. 4 W., sec. 15—SW<sup>1/4</sup>NE<sup>1/4</sup>,*  
 8           *S<sup>1/2</sup>NW<sup>1/4</sup>, containing 120 record acres, more or less.*

9           (d) *EQUAL VALUE.—The land and interests in land*  
 10          *exchanged under this section—*

11           (1) *shall be of equal market value; or*

12           (2) *shall be equalized using nationally recognized*  
 13          *appraisal standards, including, to the extent appro-*  
 14          *priate, the Uniform Standards for Federal Land Ac-*  
 15          *quisition, the Uniform Standards of Professional Ap-*  
 16          *praisal Practice, the provisions of section 206(d) of*  
 17          *the Federal Land Policy and Management Act of*  
 18          *1976 (43 U.S.C. 1716(d)), and other applicable law.*

19           (e) *REDESIGNATION OF LAND TO MAINTAIN REVENUE*  
 20          *FLOW.—So as to maintain the current flow of revenue from*  
 21          *land subject to the Act entitled “An Act relating to the re-*  
 22          *vested Oregon and California Railroad and reconveyed Coos*  
 23          *Bay Wagon Road grant land situated in the State of Or-*  
 24          *egon”, approved August 28, 1937 (43 U.S.C. 1181a et seq.),*  
 25          *the Secretary may redesignate public domain land located*

1 *in and west of range 9 east, Willamette Meridian, Oregon,*  
 2 *as land subject to that Act.*

3 (f) *TIMETABLE.—The exchange directed by this section*  
 4 *shall be consummated not later than 1 year after the date*  
 5 *of enactment of this Act.*

6 (g) *WITHDRAWAL OF LANDS.—All lands managed by*  
 7 *the Department of the Interior, Bureau of Land Manage-*  
 8 *ment, located in townships 2 and 3 south, ranges 6 and*  
 9 *7 east, Willamette Meridian, which can be seen from the*  
 10 *right of way of Oregon State Highway 26 (referred to in*  
 11 *this section as the “Mt. Hood Corridor”), shall be managed*  
 12 *primarily for the protection of important scenic values.*  
 13 *Management prescriptions for other resource values associ-*  
 14 *ated with these lands shall be planned and conducted for*  
 15 *purposes other than timber harvest, so as not to impair sce-*  
 16 *nic quality.*

17 (h) *TIMBER HARVEST.—Timber harvest may be con-*  
 18 *ducted in the Mt. Hood Corridor after the occurrence of a*  
 19 *resource-damaging catastrophic event. Such harvest, and*  
 20 *any additional timber harvest, may only be conducted to*  
 21 *achieve the following resource management objectives, in*  
 22 *compliance with the current land use plans—*

23 (1) *to maintain safe conditions for the visiting*  
 24 *public;*

25 (2) *to control the continued spread of forest fire;*

1           (3) *for activities related to administration of the*  
2       *Mt. Hood corridor; or*

3           (4) *for removal of hazard trees along trails and*  
4       *roadways.*

5       (i) *ROAD CLOSURE.—The forest road gate located on*  
6       *Forest Service Road 2503, located in T. 2 S., R. 6 E., sec.*  
7       *14, shall remain gated and locked to protect resources and*  
8       *prevent illegal dumping and vandalism in the Mt. Hood*  
9       *Corridor. Access to this road shall be limited to—*

10           (1) *Federal and State officers and employees act-*  
11       *ing in an official capacity;*

12           (2) *employees and contractors conducting au-*  
13       *thorized activities associated with the telecommuni-*  
14       *cation sites located in T. 2 S., R. 6 E., sec. 14; and*

15           (3) *the general public for recreational purposes,*  
16       *except that all motorized vehicles will be prohibited.*

17       (j) *NEPA EXEMPTION.—Notwithstanding any other*  
18       *provision of law, the National Environmental Policy Act*  
19       *of 1969 (Public Law 91–190) shall not apply to this section.*

20       (k) *AUTHORIZATION OF APPROPRIATIONS.—There are*  
21       *authorized to be appropriated such sums as are necessary*  
22       *to carry out this section.*

1       ***TITLE V—COQUILLE TRIBAL***  
2                   ***FOREST***

3   ***SEC. 501. CREATION OF THE COQUILLE FOREST.***

4       *(a) The Coquille Restoration Act (Public Law 101–42)*  
5   *is amended by inserting at the end of section 5 the follow-*  
6   *ing:*

7       “(d) *CREATION OF THE COQUILLE FOREST.—*

8           “(1) *Within 90 days of the enactment of this*  
9       *title, the Secretary of Interior is authorized to and*  
10      *shall, in accordance with this title and in consulta-*  
11      *tion with the Coquille Tribe of Coos County, Oregon,*  
12      *designate approximately five thousand acres of forest*  
13      *lands in Coos County, Oregon, to which the United*  
14      *States holds title, located in the historic territory of*  
15      *the Coquille Indian people, as the Coquille Forest.*

16          “(2) *A map showing the Federal portions of*  
17      *these sections designated as the Coquille Forest, and*  
18      *such additional legal descriptions which are applica-*  
19      *ble, shall within 180 days of the date of enactment of*  
20      *this title, be prepared by the Secretary in consulta-*  
21      *tion with the Tribe and placed on file at the local*  
22      *District Office of the Bureau of Land Management,*  
23      *the Agency Office of the Bureau of Indian Affairs,*  
24      *and with the Senate Committee on Energy and Natu-*  
25      *ral Resources and the House Committee on Resources.*

1           “(3) *Two years from the date of enactment of*  
2           *this subsection, the Secretary shall transfer lands des-*  
3           *ignated under subsection (d)(1), to the Bureau of In-*  
4           *Indian Affairs, to be held in trust, in perpetuity, for the*  
5           *Coquille Tribe. As Indian trust forest lands, the Sec-*  
6           *retary of Interior, acting through the Assistant Sec-*  
7           *retary for Indian Affairs shall manage these lands*  
8           *under applicable forestry laws and in a manner con-*  
9           *sistent with the standards and guidelines of Federal*  
10          *forest plans on adjacent lands. The Secretary and the*  
11          *Tribe may authorize management of the Coquille For-*  
12          *est consistent with the Coquille Forest management*  
13          *strategy developed by the Independent Scientific Advi-*  
14          *sory Team and set forth in the report entitled, “A*  
15          *Forest Management Strategy for the Proposed*  
16          *Coquille Forest” dated August 31, 1995 and including*  
17          *the December 20, 1995 Addendum.*

18           “(4) *From the date of enactment of this title*  
19          *until two years after the date of enactment of this*  
20          *title, the Bureau of Land Management shall:*

21                   “(A) *retain Federal jurisdiction for the*  
22                   *management of lands designated under this title*  
23                   *as the Coquille Forest; and*

24                   “(B) *prior to advertising, offering or*  
25                   *awarding any timber sale contract on lands des-*

1           *ignated under this title as the Coquille Forest,*  
2           *obtain the approval the Bureau of Indian Af-*  
3           *airs, which shall act on behalf of and in con-*  
4           *sultation with the Coquille Tribe.*

5           “(5) *After completion of the transfer to the Bu-*  
6           *reau of Indian Affairs, required in this subsection, the*  
7           *Secretary may, pursuant to the Indian Self-Deter-*  
8           *mination Act (25 U.S.C. 450 et seq.), enter into an*  
9           *Indian self-determination agreement with the Coquille*  
10          *Indian Tribe. Such agreement shall provide for the*  
11          *Tribe to carry out all or a portion of the forest man-*  
12          *agement program for the Coquille Forest. Prior to en-*  
13          *tering such an agreement, and as a condition of*  
14          *maintaining such an agreement, the Secretary must*  
15          *find that the Coquille Tribe has entered into a Memo-*  
16          *randum of Agreement (MOA) with the State of Or-*  
17          *egon, as required under subsection (8) this title.*

18          “(6) *The Land designated under this title shall*  
19          *be subject to valid existing rights, including all valid*  
20          *liens, rights-of-way, licenses, leases, permits, and ease-*  
21          *ments existing on date of the enactment of this title.*  
22          *These lands will remain open to public access for pur-*  
23          *poses of hunting, fishing, recreation and transpor-*  
24          *tation, except when closure is required by state or*  
25          *Federal law.*

1           “(7) *Unprocessed logs harvested from the*  
2           *Coquille Forest shall be subject to the same Federal*  
3           *statutory restrictions on export to foreign Nations*  
4           *that apply to unprocessed logs harvested from federal*  
5           *lands.*

6           “(8) *All sales of timber from land subject to this*  
7           *title shall be advertised, offered and awarded in ac-*  
8           *cordance with the public bidding and contracting*  
9           *laws and procedures applicable to the Bureau of*  
10          *Land Management.*

11          “(9) *The Coquille Tribe shall enter into a Memo-*  
12          *randum of Agreement (MOA) with the State of Or-*  
13          *egon relating to the establishment and management of*  
14          *the Coquille Forest. The MOA shall include, but not*  
15          *be limited to, the terms and conditions for preserving*  
16          *public access, continuing public rights, advancing*  
17          *jointly-held resource management goals, achieving*  
18          *Tribal restoration objectives and establishing a co-*  
19          *ordinated management framework. Further, provi-*  
20          *sions set forth in the MOA shall be consistent with*  
21          *Federal trust responsibility requirements applicable*  
22          *to Indian trust lands. The United States District*  
23          *Court for the District of Oregon shall have jurisdic-*  
24          *tion over actions arising out of claims of breach of the*  
25          *MOA.*



1           “(10) So as to maintain the current flow of reve-  
2       nue from land subject to the Act entitled “An Act re-  
3       lating to the revested Oregon and California Railroad  
4       and reconveyed Coos Bay Wagon Road grant land  
5       situated in the State of Oregon”, approved August 28,  
6       1937 (43 U.S.C. 1181a et seq.), the Secretary shall re-  
7       designate public domain land located in the Coquille  
8       Tribe’s service area, as defined in the Coquille Tribal  
9       Restoration Act of 1989 (Public Law 101-42), as  
10      land subject to that Act. In no event shall payments  
11      due to Coos County, Oregon, under that Act be dimin-  
12      ished as a result of the land designations required  
13      pursuant to this title.

14           “(11) Within two years of the date of enactment  
15      of this subsection, the Secretary shall complete a for-  
16      mal scientific peer review of the management strategy  
17      developed by the Independent Scientific Advisory  
18      Team and set forth in the report entitled, “A Forest  
19      Management Strategy for the Proposed Coquille For-  
20      est” dated August 31, 1995 and including the Decem-  
21      ber 20, 1995 Addendum.”.

**TITLE VI—BULL RUN  
WATERSHED PROTECTION**

*SEC. 601. Section 2(a) of Public Law 95–200 is amended on line 7 by striking “2(b)” and inserting in lieu thereof “2(c)”.*

*SEC. 602. Public Law 95–200 is amended by adding a new subsection 2(b) immediately after subsection 2(a), as follows:*

*“(b) TIMBER CUTTING.—*

*“(1) IN GENERAL.—Subject to paragraph (2), the Secretary of Agriculture shall prohibit the cutting of trees in that part of the unit consisting of the hydrographic boundary of the Bull Run River Drainage and as depicted in a map dated June 1996 and entitled “Bull Run River Drainage”.*

*“(2) PERMITTED CUTTING.—*

*“(A) IN GENERAL.—Subject to subparagraph (B), the Secretary of Agriculture shall prohibit the cutting of trees in the area described in subparagraph (1).*

*“(B) PERMITTED CUTTING.—Subject to subparagraph (B), the Secretary may allow the cutting of trees in the area described in subparagraph (1)—*

1                   “(i) for the protection or enhancement  
2                   of water quality in the area described in  
3                   subparagraph (1); or

4                   “(ii) for the protection, enhancement,  
5                   or maintenance of water quantity available  
6                   from the area described in subparagraph  
7                   (1); or

8                   “(iii) for the construction, expansion,  
9                   protection or maintenance of municipal  
10                  water supply facilities; or

11                  “(iv) for the construction, expansion,  
12                  protection or maintenance of facilities for  
13                  the transmission of energy through and over  
14                  the unit or previously authorized hydro-  
15                  electric facilities or hydroelectric projects  
16                  associated with municipal water supply fa-  
17                  cilities.

18                  “(C) SALVAGE SALES.—The Secretary of  
19                  Agriculture may not authorize a salvage sale in  
20                  the area described in subparagraph (1).”.

21                  SEC. 603. Section 2(b) of Public Law 95–200 is  
22                  amended by inserting in the first line after (a) “and (b)”.

23                  SEC. 604. Section 2(b) of Public Law 95–200 is redes-  
24                  ignated as “2(c)”.

1        *SEC. 605. Redesignate the following subsections accord-*  
 2        *ingly.*

3        ***TITLE VII—OREGON ISLANDS***  
 4        ***WILDERNESS, ADDITIONS***

5        ***SEC. 701. OREGON ISLANDS WILDERNESS, ADDITIONS.***

6        *(a) In furtherance of the purposes of the Wilderness*  
 7        *Act of 1964, certain lands within the boundaries of the Or-*  
 8        *egon Islands National Wildlife Refuge, Oregon, comprising*  
 9        *approximately ninety-five acres and as generally depicted*  
 10        *on a map entitled “Oregon Island Wilderness Additions—*  
 11        *Proposed” dated June, 1996, are hereby designated as wil-*  
 12        *derness. The map shall be on file and available for public*  
 13        *inspection in the offices of the Fish and Wildlife Service,*  
 14        *Department of the Interior.*

15        *(b) All other federally-owned named, unnamed, sur-*  
 16        *veyed and unsurveyed rocks, reefs, islets and islands lying*  
 17        *within three geographic miles off the coast of Oregon and*  
 18        *above mean high tide, not currently designated as wilder-*  
 19        *ness and also within the Oregon Islands National Wildlife*  
 20        *Refuge boundaries under the administration of the United*  
 21        *States Fish and Wildlife Service, Department of the Inte-*  
 22        *rior, as designated by Executive Order 7035, Proclamation*  
 23        *2416, Public Land Orders 4395, 4475 and 6287, and Public*  
 24        *Laws 91–504 and 95–450, are hereby designated as wilder-*  
 25        *ness.*

1       (c) *As soon as practicable after this title takes effect,*  
 2       *a map of the wilderness area and a description of its bound-*  
 3       *aries shall be filed with the Senate Committee on Energy*  
 4       *and Natural Resources and the House Committee on Re-*  
 5       *sources, and such map shall have the same force and effect*  
 6       *as if included in this title; provided, however, that correct-*  
 7       *ing clerical and typographical errors in the map and land*  
 8       *descriptions may be made.*

9       (d) *Public Land Order 6287 of June 16, 1982, which*  
 10       *withdrew certain rocks, reefs, inlets and islands lying*  
 11       *within three geographical miles off the coast of Oregon and*  
 12       *above mean high tide, including the ninety-five acres de-*  
 13       *scribed in (a), as an addition to the Oregon Islands Na-*  
 14       *tional Wildlife Refuge is hereby made permanent.*

15       ***TITLE VIII—UMPQUA RIVER***  
 16       ***LAND EXCHANGE STUDY***

17       ***SEC. 801. UMPQUA RIVER LAND EXCHANGE STUDY: POLICY***  
 18       ***AND DIRECTION.***

19       (a) *IN GENERAL.*—*The Secretaries of the Interior and*  
 20       *Agriculture are hereby authorized and directed to consult,*  
 21       *coordinate and cooperate with the Umpqua Land Exchange*  
 22       *Project (ULEP), affected units and agencies of state and*  
 23       *local government, and, as appropriate, the World Forestry*  
 24       *Center and National Fish and Wildlife Foundation, to as-*  
 25       *sist ULEP's ongoing efforts in studying and analyzing land*

1 *exchange opportunities in the Umpqua River basin and to*  
 2 *provide scientific, technical, research, mapping and other*  
 3 *assistance and information to such entities. Such consulta-*  
 4 *tion, coordination and cooperation shall at a minimum in-*  
 5 *clude, but not be limited to:*

6           (1) *Working with ULEP to develop or assemble*  
 7 *comprehensive scientific and other information (in-*  
 8 *cluding comprehensive and integrated mapping) con-*  
 9 *cerning the Umpqua River basin's resources of forest,*  
 10 *plants, wildlife, fisheries (anadromous and other),*  
 11 *recreational opportunities, wetlands, riparian habitat*  
 12 *and other physical or natural resources.*

13           (2) *Working with ULEP to identify general or*  
 14 *specific areas within the basin where land exchanges*  
 15 *could promote consolidation of timberland ownership*  
 16 *for long-term, sustained timber production; protection*  
 17 *and improvement of habitat for plants, fish and wild-*  
 18 *life (including any federally listed threatened or en-*  
 19 *dangered species); recovery of threatened and endan-*  
 20 *gered species; protection and improvement of wet-*  
 21 *lands, riparian lands and other environmentally sen-*  
 22 *sitive areas; consolidation of land ownership for im-*  
 23 *proved public access and a broad array of rec-*  
 24 *reational uses; and consolidation of land ownership to*

1       *achieve management efficiency and reduced costs of*  
 2       *administration.*

3               *(3) Developing a joint report for submission to*  
 4       *the Congress which discusses land exchange opportu-*  
 5       *nities in the basin and outlines either a specific land*  
 6       *exchange proposal or proposals which may merit con-*  
 7       *sideration by the Secretaries or the Congress, or ideas*  
 8       *and recommendations for new authorizations, direc-*  
 9       *tion, or changes in existing law or policy to expedite*  
 10       *and facilitate the consummation of beneficial land ex-*  
 11       *changes in the basin via administrative means.*

12   **SEC. 802. REPORT TO CONGRESS.**

13       *(a) No later than February 1, 1998, ULEP and the*  
 14       *Secretaries of the Interior and Agriculture shall submit a*  
 15       *joint report to the Committee on Resources of the United*  
 16       *States House of Representatives and to the Committee on*  
 17       *Energy and Natural Resources of the United States Senate*  
 18       *concerning their studies, findings, ideas, recommendations,*  
 19       *mapping and other activities conducted pursuant to this*  
 20       *Act.*

21       *(b) At a minimum, the report shall include:*

22               *(1) A complete analysis and discussion of issues,*  
 23       *options and alternatives considered with respect to the*  
 24       *specific study items set forth in Section 3(b) (1–7) of*  
 25       *this Act and a discussion of the perceived advantages,*

1        *disadvantages, and obstacles to implementation of*  
2        *such options and alternatives.*

3            *(2) Recommendations and mapping for specific*  
4        *land exchanges, or the identifications and mapping of*  
5        *general areas where exchanges should be considered.*

6            *(3) Recommendations, if any, for any changes in*  
7        *law or policy that would authorize, expedite, or facili-*  
8        *tate specific land exchanges or facilitate general land*  
9        *exchange procedures.*

10           *(4) Recommendations, if any, for special provi-*  
11        *sions of law or policy that might be applied to spe-*  
12        *cific areas of private or Federal lands after consolida-*  
13        *tions of lands are completed through land exchanges.*

14           *(5) Recommendations, if any, for new or en-*  
15        *hanced sources of Federal, state or other funding to*  
16        *promote improved resource protection, recovery and*  
17        *management in the basin.*

18    **SEC. 803. AUTHORIZATION OF APPROPRIATIONS.**

19        *In furtherance of the purposes of this title, there is*  
20        *hereby authorized to be appropriated the sum of \$2 million.*